

HAWAIIAN HOMES COMMISSION

Minutes of September 16, 2024

Hale Ponoī, 91-5420 Kapolei Parkway, Kapolei, Oahu, 96707, and Interactive Conferencing Technology-Zoom

Pursuant to proper call, the meeting of the Hawaiian Homes Commission was held both in person and via Interactive Conferencing Technology, beginning at 9:30 a.m.

PRESENT Kali Watson, Chairperson
Makai Freitas, West Hawai‘i Commissioner
Michael L. Kaleikini, East Hawai‘i Commissioner
Archie Kalepa, Maui Commissioner
Walter Kaneakua, O‘ahu Commissioner
Lawrence Lasua, Moloka‘i Commissioner
Sanoē Marfil, O‘ahu Commissioner
Pauline N. Namu‘o, O‘ahu Commissioner (ICT)
Dennis L. Neves, Kaua‘i Commissioner

COUNSEL Alana Bryant, Deputy Attorney General

STAFF Katie L. Lambert, Deputy to the Chair
Richard Hoke, Executive Assistant to the Chair
Leah Burrows-Nuuanu, Secretary to the Commission
Juan Garcia, Homestead Services Division Administrator
Kalani Fronda, Acting Administrator, Land Development Division
Linda Chinn, Acting Administrator, Land Management Division
Lehua Kinilau-Cano, NAHASDA Government Relations Program Manager
Kahana Albinio, Land Management Division
Diamond Badajos, Information and Community Relations Officer
Dean Oshiro, Loans Branch Manager
Nancy McPherson, Planner
Sharon Mendoza, Budget Analyst
Oriana Leao, NAHASDA Legislative Analyst

ORDER OF BUSINESS

CALL TO ORDER

Chair Watson called the meeting to order at 9:36 a.m. Eight (8) members were present in person, and one (1) member attended via Zoom, establishing a quorum.

APPROVAL OF AGENDA

Chair Watson noted that Items H-1 and C-6 would be taken out of order, and the Commission will recess at noon for lunch. The Community meeting will be held at the Blanche Pope Elementary School Cafeteria, in Waimānalo, at 6:30 pm.

MOTION

Moved by Commissioner Marfil, seconded by Commissioner Kalepa, to approve the agenda. Motion carried unanimously.

APPROVAL OF MINUTES

a) August 19 & 20, 2024 Regular Meeting Minutes

Commissioner Neves noted that on page 20, Item J-3, the second sentence of the second paragraph; Ms. Niheu's testimony was specifically for renovations.

MOTION

Moved by Commissioner Neves, seconded by Commissioner Lasua, to approve the Minutes with the proposed amendment. Motion carried unanimously.

PUBLIC TESTIMONY ON AGENDIZED ITEMS

Randy Awo – Item C-4 Limited Meeting

R. Awo testified in opposition to Item C-4, related to a limited meeting on Maui. His opposition stems from the fact that the areas that the Commission will be visiting are accessible to the public and do not constitute a danger to health and safety. He also stated that the project specifications in the submittal are significantly different than the Act 279 Strategic Plan Budget approved in January 2024. For the Wailuku single-family homes, Item C-4 represents a net loss of 84 residential lots and leaves 37 acres unaccounted for. Most beneficiaries prefer these locations. Likewise, the Waiehu Mauka project lists a loss of 213 single-family lots with 187 acres unaccounted for. The way Item C-4 is presented, there is a net loss of 297 residential lots, and 224 acres are unaccounted for. It appears that these assets and resources are being diverted away to acquire land in Kihei. Regarding Kalai Ola, Item C-4 states that it DHS is working with DHHL and HHFDC to create a community for families transitioning out of homelessness, including rental housing. Is Kalai Ola for fire victims? Or is it now becoming a long-term project for homelessness?

Germaine Meyers – Item C-3 DHHL Legislative Package

G. Meyers questioned the legislative package and suggested that the bill concerning independent legal counsel should be removed. She points out a notice of award for \$850,000 in legal counsel given through a sole source procurement, which bypassed the typical process. She questioned why the contract was awarded without competition and that this situation undermines the appearance of truly independent legal counsel for the commission. G. Meyers raised concerns about a geothermal project in Hawaiian homelands, claiming that funds earmarked for the project are being transferred to another department, not directly benefiting Hawaiian homelands. She suggested that the legislative package creates a false sense of progress in this area.

Regarding Item C-4, G. Myers referred to a discrepancy between January Act 279 Strategic Plan numbers, where 161 lots were initially allocated funds, but only 154 lots are now listed. She urged an investigation into the dealings of the Hawaiian Homes Commission, warning of contractors being paid for fewer lots than agreed upon. Regarding Item C-5, Meyers criticized the allocation of \$25 million to purchase 82 units of a 15-year-old building, arguing that this money would be better spent on down payments for 500 native Hawaiian lessees. She suggested reallocating the funds to help more people get on the land, advocating for adjustments to the recommendations in the legislative package.

Kelly Keawe – Kalima Lawsuit

K. Keawe shared her frustration with the waitlist; having been on the list for nearly four decades, she asks for consideration in removing names tied to the Kalima vs. DHHL case. She also raised concerns about qualifying for a home loan due to her upcoming retirement, expressing fear that she will be disqualified from the list because of a lack of income. She also highlighted the need for rental

assistance for those unable to qualify for home loans, especially as they approach retirement. She asked the Commission to consider providing support for older applicants who have been on the waitlist for decades and now find it harder to secure housing.

De Mont Manaole – Item C-5

D. Manaole, co-manager of a Ho’omanapono, LLC, a Native Hawaiian corporation, supported Item C-5 related to the Waipouli housing project. He introduced kupuna from the mainland, who testified about their struggles with housing and waitlist delays.

Avery Yoon – Item C-5

A. Yoon, an architect and land use consultant from Kaua’i, spoke about the challenges of rising land and construction costs. He supported transitioning to multifamily housing units as a solution for affordable housing. Having been on the waitlist for over 40 years, he emphasized the difficulty of obtaining land in Hawai’i and saw multifamily developments as a practical way to provide housing for older Native Hawaiians.

Sandra Napua Kauahi Kenji– Item C-5

Napua Kauahi Kenji, a kupuna from Montana, shared her longing to return home to Hawai’i. She had been on the waitlist for many years and expressed her desire to retire in her homeland. She reflected on the importance of ancestral ties and the emotional connection Native Hawaiians have to their land.

D. Manaole concluded with additional testimony from others on the mainland, including a family forced to leave Hawai’i due to high costs. He stressed that many Native Hawaiians on the mainland wanted to return home, but the lack of affordable housing prevented them from doing so.

Jojo Tanimoto’s - Budget and Water Concerns

J. Tanimoto addressed the commission regarding the budget for the year 2025-2026, specifically referencing H1 and H2. Her primary concern was the absence of Kawaihae and the water subsidy request from the community, which was not included in either part of the budget. She emphasized the increasing population and the potential strain on resources, particularly water, as the county planning department was considering creating a new district, District 10.

She also raised the issue of limited water access in Kohala Ranch, which Kailapa was currently using. The subdivision on the Kohala shoreline required an expansion of water limitations, and the community was nearing a two-year deadline without alternative water sources. J. Tanimoto requested that the commission engage in beneficiary consultation and provide clarity on the department's plans to help address these water issues, citing that he had been testifying for two years without seeing any resolution.

Healani Sonoda-Pale’s – Item C-5

H. Sonoda-Pale testified in full support of the Waipouli Courtyard's rent-to-own project, which she believed was a critical opportunity for Native Hawaiian families on the homestead waitlist to achieve home ownership.

She discussed the failures of the state legislature in prioritizing Native Hawaiian issues, especially the long-standing waitlist for homestead land. The proposed rent-to-own model at Waipouli offered families the chance to build equity while renting, ultimately leading to home ownership at an affordable price. This project would not only address housing needs but also create financial stability and community revitalization, like successful programs in other areas like the Cleveland Housing Network. Sonoda-Pale emphasized that this project could significantly reduce Native Hawaiian houselessness and bring 80 families back to their ancestral lands in Kapa’a.

Kimeona Kane – Item F-2 Invasive Species and Goat Management

K. Kane spoke on behalf of the Waimānalo Neighborhood Board, focusing on item F2, which involved the issuance of a right of entry permit to the State Department of Land and Natural Resources (DLNR) for managing invasive species, particularly koki frogs, in Waimānalo Valley. While Kane supported efforts to control the spread of koki frogs, she expressed concerns about the inclusion of goat management in the permit. The committee requested more specific information about the goat population and called for community outreach before any action was taken to manage the goats.

Kane emphasized that the priority should have remained on addressing the invasive frogs and asked for a more defined timeline for the permit, suggesting a year-to-year duration to ensure accountability. Additionally, the committee sought clarification on habitat modification plans and stressed the importance of reforestation efforts. The community wanted to remain actively involved in the decision-making process and requested transparency and consultation regarding the project's environmental impacts.

Sybil Lopez – Item G-1 Moloka‘i Land Trust Right of Entry

S. Lopez testified in opposition to the approval of a right of entry for the Moloka‘i Land Trust. She saw this as a form of modern colonization, where non-beneficiaries were given control over Hawaiian lands under the guise of environmental stewardship. Lopez pointed out that there were many Native Hawaiian beneficiaries on Moloka‘i, with over 2,100 people still waiting for land, and she argued that these lands should be managed by the beneficiaries themselves.

She highlighted a recent award given by DHHL for the Malama Cultural Park Master Plan, which she viewed as an example of successful collaboration between DHHL and local homestead associations. Lopez contrasted this with the situation involving the Moloka‘i Land Trust, which she felt had not involved sufficient consultation with beneficiaries. She outlined several solutions, including prioritizing beneficiaries in the decision-making process, improving consultation methods, and developing benefits agreements that ensured beneficiaries played a leading role in land stewardship. She concluded by calling for more resources to be directed toward building the capacity of beneficiaries and homestead associations, rather than outside organizations, to ensure they could sustainably manage and protect their lands for future generations.

Iwalani McBrayer Item C-1: Native Hawaiian Housing Block Grant

I. McBrayer, Kaupe‘a Homestead President, expressed concerns regarding the process of allocating the Native Hawaiian Housing Block Grant, especially the section related to substandard housing. She questioned how families were selected for the program and whether the inspection of homes met safety standards. She urged commissioners to review the process thoroughly to ensure that families in need of adequate housing were properly supported.

Item H-1: Approval of Biennial Budget. I. McBrayer emphasized the importance of building safe, adequate housing with the \$600 million allocated for this purpose. She stressed the need to address substandard housing, ensuring that funds were used effectively to create homes that met necessary safety standards. She invited Oahu commissioners to attend her community’s monthly meetings, highlighting the importance of consultation with local leaders.

Kanani Kagawa – Item C-5

K. Kagawa testified in opposition to the use of \$25 million from the NAHASDA fund for a housing project in Waipouli. She argued that these funds could instead have been used for the ‘Ānāhola-

Kuleana Homestead Settlement, which had been in development for years and was already shovel-ready. Kagawa questioned the prioritization of the Waipouli project, which she felt lacked transparency and might have excluded many beneficiaries based on income limits. She advocated for redirecting funds toward developing lots in ‘Ānahola, which could have removed over 400 beneficiaries from the waiting list. She highlighted the frustration of the ‘Ānahola community, which had spent years developing a regional plan, only to see other projects prioritized. She urged Commissioners to reconsider their allocation of resources to benefit a larger number of people.

Patti Tancayo– Item C-5

P. Tancayo, who had been on the waitlist for 25 years, strongly supported the Rent-to-Own program to help beneficiaries who had waited long for housing. She used an analogy of a food line to explain the current system, where some beneficiaries had received their homestead, while others continued to wait. The Rent-to-Own program offered a much-needed alternative for people who needed housing options other than traditional homesteads. Barbee stressed the immediacy of the Rent-to-Own program, pointing out that it could help families get into homes much sooner than other projects that took years to complete. She urged Commissioners to support this program, which could provide immediate relief for those on the waitlist.

Leonard Junya Nakoa Item C-4: Concerns About Reduced Housing and Land

J. Nakoa expressed frustration over a reduction in the number of homes and acreage in certain projects. Instead of reducing land and homes for Hawaiians, there should have been more focus on increasing opportunities for beneficiaries. He recalled promises made by officials regarding simultaneous infrastructure development, expressing disappointment that these commitments had not been fulfilled. He mentioned that he would present a proposal the following day to offer cost-effective housing solutions for beneficiaries. He criticized the high prices of current housing developments and argued that his plan would provide better, more affordable options for Hawaiians.

Pua Freitas Item C-4

P. Freitas expressed opposition to Item C-4, joining other testifiers in their concerns about the Hawaiian Homes Commission's planned limited meeting in November. She stressed the importance of listening to community feedback and taking time to ensure that development projects are aligned with the needs and concerns of beneficiaries.

P. Freitas also supported the Rent-to-Own program, acknowledging that different beneficiaries had varying needs. She believed the program provided valuable alternatives for those who could not afford traditional homesteads, offering flexibility and options for long-waiting beneficiaries.

Jerome Kekiwi Jr. – Item G-3

J. Kekiwi Jr., President of Na Moku Aupuni O Koolau Hui, testified about a proposed rule change for the Keanae Wailua Nui Ahupua‘a lands in Koolau Moku. The lands were granted to the Department of Hawaiian Homelands (DHHL) in 1995, and since then, community meetings have taken place to determine how to bring back linear descendants to the land. The first meeting occurred in 1997, where elders expressed their desire to return linear descendants to the land. A second meeting in 2013 reaffirmed the community’s desire to reestablish their connection with the land. Progress moved slowly until 2022, when Julie Cachola, along with DHHL consultants G70, initiated a series of community planning sessions. The meetings, held between November 2022 and October 2023, were well-received by the community. Community members emphasized goals such as restoring the land, promoting cultural practices, and prioritizing linear descendants through a fair vetting process. The outcome was a unified agreement within the community to prioritize linear descendants in the management and distribution of the land. J. Kekiwi concludes by expressing his gratitude to Julie and the DHHL team for facilitating a productive and successful process.

Jessie Kekiwi Aweao – Item G-3

J. Aweao, a lineal descendant from Keanae and Wailua Nui, supported the rent-to-own program. She voiced strong support for the proposed rule change that would give preference to lineal descendants in the allocation of homestead leases. She emphasized the cultural, spiritual, and historical significance of Keanae and Wailua Nui, where families had maintained the land and preserved traditions for generations. Prioritizing lineal descendants, the community could ensure the preservation of cultural practices and maintain the bond between the people and the land. She stressed that the proposed rule change was not just about acquiring land but about continuing the legacy of the kūpuna (elders) who toiled to ensure the survival of future generations.

Leianuenue Niheu Testimony – Item C-5

L. Niihau, an Aboriginal Hawaiian who had been on the DHHL waitlist since 1986, shared her personal struggle of waiting nearly four decades for housing. She expressed empathy for others in similar situations and supported the Courtyards at Waipouli Project, an initiative aimed at providing affordable housing for Native Hawaiians on Kauaʻi. She highlighted the importance of housing for Native Hawaiians, particularly women, as it contributes to both physical and emotional well-being. She emphasized that affordable housing is crucial for the safety and security of her community, especially those approaching retirement age without stable housing.

Sherri Cummings Testimony

S. Cummings raised concerns about DHHL’s handling of affordable housing projects in ʻĀnāhola. She questioned why approved Environmental Assessments (EA) and funding had not been repurposed to get projects off the ground. She noted that despite consultations and opportunities for development, progress had stalled. She expressed skepticism about the current rent-to-own model, noting that it might not benefit the people who needed it most. She emphasized the need to stay true to the original mission of returning lands to Native Hawaiians and suggested focusing on providing leases that could be passed down through generations.

Pat Kahawaiolaʻa– Item C-5

P. Kahawaiolaʻa, President of the Keaukaha Community Association, voiced concerns about the proposal to purchase Waipouli Condominiums and convert them into Hawaiian homeland trust lands. His concern was that the condo project did not seem to benefit the Kauaʻi waitlist beneficiaries, although that was initially the intention. He emphasized that the Department of Hawaiian Homes was established to provide land, not alternative options like condominiums. He shared his personal experience, having received land in 1986 without infrastructure and working the land for 12 years before infrastructure arrived. However, some of his neighbors, awarded land for 40 years, had never utilized it, which Pat attributed to a dysfunctional Department of Hawaiian Homes. The department must address these systemic issues, rather than pit beneficiaries against each other. He advocated for a possible federal-state task force to review the department’s policies and operations, ending with a firm stance against the Waipouli project due to the rejection by the Kauaʻi commissioner.

Kapua Keliikoa-Kamai

K. Keliikoa expressed disappointment in how the Department of Hawaiian Homelands had created divisions among beneficiaries, echoing Pat Kahawaiolaʻa’s views. She questioned the transparency of the department's operations and decisions, noting discrepancies in today's reports compared to past submissions. She urged for public meetings on Maui to involve those impacted by decisions and suggested an investigation into the department’s practices. She raised concerns about the unexplained discrepancies in the limited site visit submittal. She pointed to the Māʻili project, which was 70% complete but delayed, extending the waitlist. She warned against issuing “paper leases” without

addressing fundamental issues and emphasized that rental allocations should be based on actual needs, not departmental preferences.

Kekoa Enomoto – Item F-3

K. Enomoto represented three Native Hawaiian beneficiary entities: Pa‘upena Community Development Inc., Hawai‘i Taro Farm LLC, and Hui Ulu‘pono O Maui. Item F3 regarding the Molokai Land Trust's request for access to Hawaiian homelands without beneficiary consultation. Enomoto expressed hope for similar approvals for access to Pulehunui for an agro-tourism residential project to address Maui’s post-wildfire housing crisis. She requested the same technical assistance from DHHL that was provided to the Molokai Land Trust and urged for expeditious approval of the proposal without additional beneficiary consultations.

Robin Kealiinohomoku - Item C-4

R. Kealiinohomoku, a Maui waitlist beneficiary, opposed item C4, which would allow the commission to hold a limited meeting on November 17th without public testimony. She argued that DHHL beneficiaries should have the opportunity to attend and testify, as the meeting concerns important development projects for Kihei, Wailuku, and Lahaina. She highlighted the successful turnout at a previous Maui event in May 2023, where 70 beneficiaries and community leaders participated. She urged the commission to reject the motion for a limited meeting.

Dane Kaimuola Item C-5

D. Kaimuola, a wait lister since 1992, supported the Waipouli rent-to-own project. After waiting more than 30 years, he saw it as an opportunity for long-term waitlist beneficiaries, especially those living on the mainland. He expressed frustration over the slow land development despite the availability of land and urged the commission to support the Waipouli project to provide much-needed housing for those who have waited for decades.

Lulu (Last name not disclosed) Item C-5

Lulu, a current resident of the Waipouli Courtyard, raised concerns about the relocation of 82 families. She mentioned that a consulting company had been hired to assess residents' needs but only for gathering information, not for developing a relocation plan. She further stressed the need for a detailed relocation plan before the purchase is finalized, noting the difficulty of finding affordable housing on Kaua‘i. She urged the commission to ensure a smooth and dignified transition for the affected families.

RECESSED
RECONVENED

11:20 AM
11:30 AM

ITEMS FOR DECISION-MAKING

REGULAR AGENDA

OFFICE OF THE CHAIRMAN

ITEM C-5 Approval to Secure Other Funding Options to Purchase 258,929 square feet of land (Lots 17-D-1 approx. 254,263 sf and 17-D-2 approx. 4,666 sf) located at 401 Papaloa Rd, Kapa‘a, Hawaii 96746 and known as the Courtyards at Waipouli – TMK Nos.

(4) 4-3-001-014 and 21 – and improvements located thereupon to provide affordable housing for the DHHL Kaua‘i Island Waitlist

RECOMMENDED MOTION/ACTION

NAHASDA Government Relations Program Manager Lehua Kinilau-Cano and Commercial Properties Agent Russell Kaupu presented the following:

That the Hawaiian Homes Commission grants its approval to and authorizes the Chairman to do the following:

1. To secure other funding options to purchase 258,929 square feet of land (Lots 17-D-1 approx. 254,263 sf and 17-D-2 approx. 4,666 sf) located at 401 Papaloa Rd, Kapa‘a, Hawaii 96746 and known as the Courtyards at Waipouli -- TMK Nos. (4) 4-3-001-014 and 021 -- and improvements located thereupon.
2. To allocate no more than twenty-five million dollars (\$25,000,000) in NAHASDA funds for the acquisition of the above-referenced properties on Kaua‘i, contingent upon receiving such other funding and subject to compliance with NAHASDA requirements.
3. To continue to use the same Two Million Four Hundred Thousand Dollars (\$2,400,000) allocated from the DHHL Trust Fund (T902) in FY2024 to pursue funding, and achieve financial closing thereupon, for the acquisition and rehabilitation of the above-referenced properties, all of which will be reimbursed to DHHL upon closing from the funding so secured and closed upon.
4. To negotiate one or more Management Agreements with service providers to provide: (i) programs that address beneficiary needs, and (ii) services to ensure compliance with specified funding requirements.

MOTION

Moved by Commissioner Neves, seconded by Commissioner Lasua, to approve the motion as stated in the submittal.

L. Kinilau-Cano and R. Kaupu outlined the motion requesting the Hawaiian Homes Commission approve and authorize actions related to the acquisition of specific properties in Kapa‘a, Hawaii. They provided context about previous actions taken by the commission. In January 2024, the commission approved using Low-Income Housing Tax Credits (LIHTC) to fund the acquisition and rehabilitation of the courtyards at Waipouli. However, subsequent updates indicated that while applications were submitted for both 9% and 4% LIHTC, the project was not selected, and the likelihood of receiving funding was low. This prompted the exploration of alternative funding options.

The discussion transitioned to the NAHASDA (Native American Housing Assistance and Self-Determination Act) funding, which is currently financing homes in several locations, including ‘Ānahola. L. Kinilau-Cano clarified that NAHASDA funds are typically for housing construction, not infrastructure, but there are plans to pilot a program for potential homebuilders on agricultural or pastoral lands.

Alternative Funding Options

L. Kinilau-Cano highlighted other funding options under consideration, such as HUD federal funding for multi-unit development and the state Dwelling Unit Revolving Fund. These funds aim to make housing affordable, particularly as the courtyards at Waipouli are already built, thus expediting the availability of homes.

Rent Structure and Long-Term Affordability

The proposal includes a rent structure where beneficiaries could pay significantly lower rent compared to the current market rates, with the payments contributing toward the purchase price of

their homes. For lower-income individuals, the maximum rent for a 3-bedroom home can be as low as \$1,000, while those with higher incomes could pay up to \$3,450. Many are currently paying rent above this amount, so this provides an affordable option for those in need. The projected financial model suggests affordability for beneficiaries while addressing the housing market's demands.

R. Kaupu stated that his involvement in the transaction was primarily with the acquisition or the option to purchase agreement. Due to a shift in financing strategies, we've had to delay our due diligence and adjust our timelines. Although the plans appear similar, the dates have been pushed back. Additionally, we're continuing work on structuring the involvement of various parties, including how the development entity will interact with the department and beneficiaries. The main focus today, however, is securing approval for this new financing approach.

Consultant Christian O'Connor added that with the change in financing, we've expanded the range of partners we can collaborate with on rental and rent-to-own projects. Typically, these projects target households with incomes between 30% and 60% of the area median income (AMI). However, recent federal law changes allow us to extend that to 80% AMI for a small portion. The new financing sources now enable us to serve up to 100% AMI, filling a gap for income levels not usually addressed by other housing options. This project is unique in its ability to serve a wide range of income levels.

An important aspect of the new agreements is that beneficiaries will gain an undivided interest in common area elements, allowing them to pass the lease interest to a qualified successor, ensuring continuity in family housing rights. This is a change from previous LIHTC programs where beneficiaries had no rights to pass on their interests upon passing.

The project's structuring includes involving a qualified nonprofit organization to facilitate communication between the beneficiaries and the developers. This is intended to prevent past issues faced in similar projects and ensure that beneficiary needs are prioritized throughout the development process.

DISCUSSION

Commissioner Kaleikini sought clarification regarding the prior funding approvals and the adjustments made in this current proposal. L. Kinilau-Cano confirmed that while previous approvals were based on LIHTC funding, the pivot to new funding sources required coming back to the commission for updates and approvals, although the essential amounts and project plans remained largely unchanged.

The discussion continued with reflections on the previous proposal for kupuna housing, which did not receive a vote. This led to a pivot towards a rent-to-own model, a shift that has sparked various questions and clarifications among commissioners. Commissioner Kaleikini acknowledged his earlier opposition to the Lunalilo Home discussion but noted a change in stance due to the impact on beneficiaries taken off the waiting list.

The conversation progressed into the conditions surrounding the successors of beneficiaries. The commissioners discussed whether successors would be constrained by Area Median Income (AMI) limits. The consensus was that the AMI conditions established at the start of the agreement would carry throughout the project, meaning that if a beneficiary's income increased, it would not affect the AMI restrictions for the successor. However, commissioners were advised that while the undivided interest in the property is transferable, the AMI ranges would still need to be confirmed with HUD in the loan agreements.

C. O'Connor stated a notable distinction was highlighted regarding annual income reassessments. In Low-Income Housing Tax Credit (LIHTC) financing, beneficiaries undergo annual reassessments. In contrast, under the current financing model, beneficiaries would only be assessed upon executing the initial rental agreement and not afterward. This significant difference may influence beneficiaries' decisions and financial planning moving forward.

Discussion continued around AMI ranges, with specifics mentioned about project allocations accommodating beneficiaries between 30% and 80% of the median income. It was clarified that the project would accommodate income levels up to 100% AMI, while still prioritizing beneficiaries in the lower income brackets.

Commissioner Kalepa raised a pertinent question regarding how long-term changes in income would affect rent for successors. The assurance was given that if a beneficiary stays in the program long enough to purchase a unit, their children or successors could take over the lease without being bound by the original AMI limits. This meant that successors could potentially have different income levels without impacting their ability to lease the unit.

Commissioner Marfil reflected on past experiences with federal funding, specifically referencing a lack of NAHASDA funding in 2016. She emphasized the importance of demonstrating the effective use of funds to encourage future allocations. Since the initial iteration of the project in January, she has listened to many perspectives, including those of Kaua'i beneficiaries, and is better versed in the overall benefits of the project.

Commissioner Kaneakua is thankful for the removal of LIHTC from the current project, a topic that had previously been contentious. The inclusion of higher AMI ranges was viewed positively, as it opened opportunities for more beneficiaries.

Commissioner Lasua inquired whether the proposed \$25 million funding was allocated to other projects. It was confirmed that the funds were not tied to other projects, and there was a clear strategy to leverage NAHASDA funds alongside innovative recommendations previously discussed by commissioners.

Commissioner Neves asked that if a kupuna rents for a few years and holds an undivided interest at 30% AMI, the question arises if their grandchild, who likely earns more than 30%, can take over the unit. C. O'Connor clarified that the qualification locks at the original AMI when the undivided interest lease was selected, but successors don't need to meet the same AMI. The kupuna continues renting under the original agreement, even if their income changes, and the successor can eventually purchase the property while the original tenant remains.

The discussion transitioned to the complexities of undivided interests in condominium settings. It was explained that undivided interests could be transferred immediately to successors, while the rental agreements needed to maintain affordability for beneficiaries for a minimum of 10 years. This was to avoid prepayment penalties on the financing structure in place.

A further breakdown was provided regarding the terminology around undivided interests. The term was clarified as being distinct from traditional understandings in other contexts. Additionally, the implications of transferring leases to successors with varying income levels were discussed, with emphasis placed on the need for clarity for beneficiaries regarding their options and potential outcomes.

Public Testimony – Blossom Feiteira

B. Feiteira Advocacy Director for Kupono Ka Leo O Ka Aina reiterated her position representing beneficiaries opposed to the Low-Income Housing Tax Credit (LIHTC) acquisition for Waipouli. She noted that the commission has shifted from a LIHTC project to exploring other funding opportunities for the Waipouli acquisition, which she thanked them for acknowledging.

She emphasized the need to clarify the differences between "rent-to-own" and LIHTC, acknowledging that the commission is working on clearer definitions for these terms. She also sought clarification on the lease structure, questioning whether a common area lease would be used instead of undivided interest leases, which are typical in condominium ownership. Additionally, she highlighted the importance of establishing portability criteria within the project to lower costs for beneficiaries using the NAHASDA program.

Public Testimony – Kenna StormoGipson

K. StormoGipson expressed serious concerns about the proposal's compliance with the Uniform Relocation Act. She highlighted the lack of a relocation plan for the current residents of the building, emphasizing that they deserve to be relocated to comparable housing within the same geographic area. She criticized the commission for not presenting a clear relocation plan and urged the need for one before proceeding with the project.

Public Testimony - Germaine Meyers

G. Meyers, a Hawaiian homestead lessee, opposed the action item, emphasizing that the Hawaiian Homes Commission Act is a homesteading program and not a rental program. She pointed out discrepancies in how rental units could be prioritized over homesteading wait listers and raised concerns about the legal and ethical implications of such actions, potentially leading to class-action lawsuits against the state.

Public Testimony - Bonnie Jean Manini

B. Manini voiced her support for the Waipouli project, highlighting the need for diverse housing opportunities within the community. She noted the financial challenges faced by many families and the importance of affordable rent-to-own options. Manini acknowledged the commissioners' efforts but urged them to ensure transparency and clarity in the project to set a good precedent for future opportunities.

Public Testimony - Kainoa MacDonald

K. MacDonald, Director and Secretary for the Association of Hawaiians for Homestead Lands, presented a summary report concerning the state Department of Hawaiian Home Lands (DHHL) proposal. She noted that over 550 opposing testimonies were filed on January 19th and 26th. The overwhelming participation from beneficiaries across Hawai'i and the continental U.S. was inspiring, reflecting near-universal opposition based on common-sense reasoning from citizens regarding the proposal.

McDonald advocated for the use of alternative government funds for the Waipouli acquisition rather than state DHHL resources. She referenced the need to assess existing rental programs, specifically mentioning Ho'olimalima and La'iohua, and suggested that improvements to these programs could lead to better housing solutions for beneficiaries. She reiterated the importance of keeping resources aligned with the mission of the Hawaiian Homes Commission Act, which aims to issue homestead lots to waitlist citizens.

Commissioner Neves questioned the management structure of the project. The discussion clarified that the project would be managed by a special purpose entity, which would include affordable housing developers and nonprofit organizations tasked with supporting beneficiaries. The details

regarding the lease term of 65 years and the management entity's authority were discussed, emphasizing the importance of addressing issues raised by beneficiaries regarding the management process.

Commissioner Neves emphasized the need for a foolproof contract that would protect beneficiaries and insisted on having further discussions to clarify any gaps in the proposed agreement. He indicated that voting on the proposal would be premature without resolving the identified issues. A significant point of concern was raised regarding the specifics of how beneficiary issues would be addressed within the project framework.

Commissioner Neves asked for the specifics of rent-to-own agreements, particularly regarding equity transfer in the event of a beneficiary's death. There were questions about how such agreements would affect the beneficiaries' rights, highlighting the need for clarity in policies governing these arrangements. He reiterated that until these crucial questions were answered, the proposal should not be voted on, underscoring the complexity and importance of the issues at stake for the community and the beneficiaries.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Lasua, to approve the motion as stated in the submittal.						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas			X			
Commissioner Lasua		X		X		
Commissioner Kaleikini			X			
Commissioner Kalepa			X			
Commissioner Kaneakua						X
Commissioner Marfil			X			
Commissioner Namu`o			X			
Commissioner Neves	X			X		
Chairman Watson			X			
TOTAL VOTE COUNT			6	2		1
MOTION: <input type="checkbox"/> UNANIMOUS <input checked="" type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Six (6) Yes Two (2) No votes, One (1) Excused.						

RECESSED
RECONVENED

12:28 PM
12:50 PM

ANNOUNCEMENT

Chair Watson announced that *Item C-4 Approval to Hold a Limited Meeting of the Hawaiian Homes Commission on November 17, 2024 to DHHL Parcels in Lahaina, Wailuku, and Kihei (Island of Maui)*, has been removed from the agenda. If the Commission schedules a site visit on Maui, it will be open to the public.

ADMINISTRATIVE SERVICES OFFICE

ITEM H-1 Approval of DHHL Biennium Budget Requests for Fiscal Year 2026 and 2027 (Sufficient Sums Budget)

RECOMMENDED MOTION/ACTION

Budget Analyst Sharon Mendoza, Acting Land Development Division Administrator Kalani Fronda, and NAHASDA Manager Lehua Kinilau-Cano presented the following:

Approval of the Department of Hawaiian Home Lands (DHHL) Biennium Budget Requests for Fiscal Biennium 2025-2027 (Sufficient Sums Budget)

1. That the Hawaiian Homes Commission (HHC) approve the FB 2025-2027 Operating and Capital Improvement Program (CIP) budget request (Sufficient Sums Budget) presented in this submittal to the Governor for consideration in the Administration's Executive Budget requests to the 2025 Hawaii State Legislature.
2. That the HHC approve the presentation of the FB 2025-2027 Operating and CIP budget request, a.k.a., DHHL's "Sufficient Sums" Budget to the 2025 Hawaii State Legislature.
3. That the HHC authorize the Chairman to adjust the Sufficient Sums budget to address technical errors or omissions before it is incorporated into the Administration's Executive Budget request.

S. Mendoza, a program budget analyst, addressed the commission, presenting item H1, which involves approving the Department of Hawaiian Homelands (DHHL) budget request for the fiscal biennium 2025 to 2027, referred to as the sufficient sums budget. This budget will be part of the executive budget submitted to the governor and the 2025 legislature. Mendoza cited Article 12, Section 1 of the Hawaii State Constitution, which mandates that the legislature allocate sufficient sums for several specific purposes, including the development of agricultural lots and loans, rehabilitation projects aimed at improving the welfare of Native Hawaiians, and the administrative and operating budget of the DHHL.

S. Mendoza emphasized the fiduciary responsibility of the Hawaiian Homes Commission and the DHHL head to request amounts deemed sufficient for their operational and administrative expenses. The budget request comprises two primary components: the administrative and operating costs associated with the DHHL and costs related to development and rehabilitation projects. The proposed budget request for administrative and operating costs totals \$227,295,232 for fiscal years 2026 and 2027. The budget aims to cover personnel costs and other current expenses, including a general fund increase for staffing and system modernization projects.

The Department is requesting an increase in general funds to cover total personnel costs, including the restoration of 19 funded positions and the addition of 22 new positions to adequately staff Neighbor Island District offices. The budget includes funding for system modernization and federal resource development projects, both previously approved by the Commission.

K. Fronda focused on the repair and maintenance budget request. He indicated that approximately \$25 million is needed to fund 32 projects related to repairs and maintenance of infrastructure. Of this amount, \$15 million is allocated to land management projects, which include tasks such as demolitions, cleanup, and maintenance of fire breaks. The remaining \$10 million will be directed toward ground maintenance and water system improvements across various islands, m of bringing public facilities up to county standards for eventual transfer to local counties.

K. Fronda provided specific figures for project distribution across the islands. For Hawaii Island, there are three projects totaling around \$750,000, while Kaua‘i has three projects costing just under \$500,000. Maui has five projects totaling approximately \$750,000, and Moloka‘i has three projects around \$250,000. O‘ahu has the most significant allocation with 14 projects totaling \$1.9 million. Additionally, he mentioned a revolving fund of \$6 million set aside for renovating homes that revert to the department.

K. Fronda transitioned to discuss the Capital Improvement Projects (CIP) budget, requesting approximately \$61 million to fund 26 infrastructure improvement projects. These improvements aim to elevate public facilities to county standards, with plans for transferring responsibilities to the counties. Hawaii Island has six projects totaling around \$12 million, Kaua‘i has two projects totaling approximately \$1 million, Maui has two projects at \$1.5 million, and Oahu has 14 projects totaling about \$22 million.

The next key budget area discussed was for lot development, with a significant allocation requesting over \$600 million for 34 projects aimed at creating approximately 5,000 lots. The breakdown included 14 projects on Hawaii Island totaling about \$233 million and other projects across Kaua‘i, Maui, Molokai, and Oahu. Franda also noted a set aside of \$60 million as a revolving fund for covering pre-development expenses and assisting beneficiaries during the award process.

DISCUSSION

Commissioners raised questions regarding specific projects, such as the Kalama‘ula agricultural lots and the Waialua project on Kaua‘i, indicating a desire for updates and clarity on timelines. Additionally, concerns about funding and project status were discussed, emphasizing the need for strategic planning and timely execution of identified community priorities.

L. Kinilau-Cano NAHASDA Government Relations Program Manager addressed the commission regarding rehabilitation projects that have been prioritized by communities. She referenced specific projects included in the budget that align with community needs and reiterated the importance of obtaining legislative funding for these initiatives.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Lasua, to approve the motion as stated in the submittal.						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas			X			
Commissioner Lasua		X	X			
Commissioner Kaleikini			X			
Commissioner Kalepa			X			
Commissioner Kaneakua			X			
Commissioner Marfil			X			
Commissioner Namu‘o			X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Nine (9) Yes votes.						

ITEM H-2 Approval of Transfers of Hawaiian Home Receipts Fund Balance - End of 2ndQuarter, FY25

RECOMMENDED MOTION/ACTION

Budget Analyst Sharon Mendoza, presented the following:

Motion that the Commission approve the transfer of \$12,279,560 in the Hawaiian Home Administration Account to the Hawaiian Home Operating Fund.

DISCUSSION

S. Mendoza stated that the projected cash balance in the Hawaiian Home Administration Account on September 30, 2024, will be \$12,279,560. Based on department expenditures for FY 2025, it is recommended that the balance of the Hawaiian Home Administration Account for the first quarter ending September 30, 2024, be transferred to the Hawaiian Home Operating Fund.

Expenditures from the Hawaiian Home Operating Fund are located on page 2 of the submittal.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Lasua, to approve the motion as stated in the submittal.						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas			X			
Commissioner Lasua		X	X			
Commissioner Kaleikini			X			
Commissioner Kalepa			X			
Commissioner Kaneakua			X			
Commissioner Marfil			X			
Commissioner Namu`o			X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Nine (9) Yes votes.						

ITEM H-3 Approval of Transfers of Hawaiian Home Receipts Funds to the Hawaiian Home General Loan Fund at the End of the First Quarter, FY 2025.

RECOMMENDED MOTION/ACTION

Budget Analyst Sharon Mendoza, presented the following:

Motion that the Commission approve the transfer of the entire receipts deposited in the Hawaiian Home Receipts Fund as of September 30, 2024, to the Hawaiian Home General Loan Fund.

The projected balance in the Hawaiian Home Receipts Fund on September 30, 2024, will be \$550,000. Based on the ongoing loan requirements for fiscal year 2024, it is recommended that cash receipts in the Hawaiian Home Receipts Fund for the quarter ending September 30, 2024, be transferred to the Hawaiian Home General Loan Fund.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Lasua, to approve the motion as stated in the submittal.						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas			X			
Commissioner Lasua		X	X			
Commissioner Kaleikini			X			
Commissioner Kalepa			X			
Commissioner Kaneakua			X			
Commissioner Marfil			X			
Commissioner Namu'o			X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Nine (9) Yes votes.						

CONSENT AGENDA

HOMESTEAD SERVICES DIVISION

- ITEM D-2 Approval of Consent to Mortgage (see exhibit)**
- ITEM D-3 Approval of Homestead Application Transfers/Cancellations (see exhibit)**
- ITEM D-4 Approval to Certify Applications of Qualified Applicants for the month of August 2024 (see exhibits)**
- ITEM D-5 Commission Designation of Successors to Application Rights – Public Notice 2023 (see exhibit)**
- ITEM D-6 Approval of Assignment of Leasehold Interest (see exhibit)**
- ITEM D-7 Approval of Amendment of Leasehold Interest (see exhibit)**
- ITEM D-8 Approval to Issue Non-Exclusive Licenses for rooftop Photovoltaic Systems for Certain Lessees (see exhibit)**
- ITEM D-9 Approval of Subdivision and Transfer of a Portion of Residential Lease No. 1744, Lot No. 68, Nanakuli, Oahu – PAUL K.K. FLORES, JR, APRIL C.K. KAAWA, JENNIFER L. KAAWA and DANIEL K. KAAWA**
- ITEM D-10 Request for Additional Partial Advancement of Net Proceeds – ESTATE OF WALTER YAU LEE, Residential Lot Lease No. 12743, Lot No. 13745, Malu'ohai, Kapolei,**

RECOMMENDED MOTION/ACTION

Homestead Services Division Administrator Juan Garcia presented the following:
Motion to approve the Consent Agenda items listed for the Commission's consideration.

Commissioner Neves raised a question regarding item D9, which involved the approval of a subdivision that appeared to split a lot in half while maintaining access for most residents. J. Garcia confirmed.

Commissioner Kaleikini asked for an explanation of D10. J. Garcia explained that a request for an advance of \$15,000 was made by a widow whose property was canceled due to her husband's death. Since there were no qualified successors, the funds were needed for necessary repairs on the

children’s homestead lot in Nanakuli. He noted that the property was scheduled for re-award by the end of the year and assured the commission that the requestor would ultimately receive the entire amount.

MOTION/ACTION

Moved by Commissioner Marfil, seconded by Commissioner Lasua, to approve the Consent Agenda.						
Commissioner	1	2	AYE (YES)	A’OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas			X			
Commissioner Lasua		X	X			
Commissioner Kaleikini			X			
Commissioner Kalepa			X			
Commissioner Kaneakua			X			
Commissioner Marfil	X		X			
Commissioner Namu`o			X			
Commissioner Neves			X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Nine (9) Yes votes.						

Note: Item D-11 was taken out of order, as mentioned during Agenda Approval.

ITEM D-11 Approval of Assignment of Leasehold Interest – MELE U. SPENCER, Agricultural Lease No. 5104, Lot No. 19-A-2, Pana’ewa, Hawaii

RECOMMENDED MOTION/ACTION

Homestead Services Division Administrator Juan Garcia presented the following:

Motion:

1. To approve the assignment of the leasehold interest, pursuant to Section 208, Hawaiian Homes Commission Act, 1920, as amended, and subject to any applicable terms and conditions of the assignment, including but not limited to the approval of a loan.
2. To approve the sale of Agricultural Lot No. 19-A-2, in the amount of \$50,000.00, to Kelcie K.K. Maka'ike.
3. To approve and accept that the transferee is of no less than the required 50% Hawaiian ancestry pursuant to Section 208, Hawaiian Homes Commission Act, 1920, as amended.
4. To approve the amendment to Lease No. 5104 to update the property description to remove Lot No. 19-A-2 and to include an access easement on Lot No. 19-B (in favor of Lot No. 19-A-2).
5. To approve the amendment to Lease No. 5104-A to update the property description to include Lot No. 19-A-1, the access easement on Lot No. 19-B (in favor of Lot No. 19-A-2) and Lot No. 19-A-2.
6. The approval pertaining to the access easement on Lot No. 19-B, in favor of Lot No. 19-A-2, is subject to the completion of the survey work done by a licensed surveyor, including but not limited to the surveying and staking of boundary corners of the lots, submitting the required number of final maps to the County, preparing and submitting the legal description of the lots to the Department of Hawaiian Home Lands (Department), applying to the County for approval, and final approval by the County of Honolulu. Lessees are responsible for all costs

incurred in the processing and obtaining of the recorded maps, including but not limited to surveying fees, fees imposed by the County of Hawaii (County), fees for utility (electric, water, etc.), and other fees associated with the access easement.

DISCUSSION

J. Garcia stated that D-11 involved approving an assignment of leasehold interest for Leslie Mellie Spencer, who wanted to transfer one of her agricultural lots and create an easement for access. The easement was necessary for the transferee to access heavy equipment. Once a surveyor completes the necessary work, the lease will be amended to reflect this easement. After discussion, the commission voted to approve this item unanimously.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Kaneakua, to approve the motion as stated in the submittal.						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas			X			
Commissioner Lasua			X			
Commissioner Kaleikini			X			
Commissioner Kalepa			X			
Commissioner Kaneakua		X	X			
Commissioner Marfil			X			
Commissioner Namu`o			X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Nine (9) Yes votes.						

OFFICE OF THE CHAIRMAN

ITEM C-1 Acceptance of the 2024 Annual Performance Report (APR) - Native Hawaiian Housing Block Grant

RECOMMENDED MOTION/ACTION

NAHASDA Government Relations Manager Lehua Kinilau-Cano presented the following:

Motion to accept the 2024 Annual Performance Report (APR) - Native Hawaiian Housing Block Grant (NHHBG) for transmittal to the U.S. Department of Housing & Urban Development (HUD).

DISCUSSION

Commissioner Neves raised concerns about the focus on rental assistance instead of land delivery, suggesting a need to realign efforts toward providing land to Native Hawaiians.

MOTION/ACTION

Moved by Commissioner Marfil, seconded by Commissioner Kaneakua, to approve the motion as stated in the submittal.						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas			X			
Commissioner Lasua			X			
Commissioner Kaleikini			X			
Commissioner Kalepa			X			
Commissioner Kaneakua		X	X			
Commissioner Marfil	X		X			
Commissioner Namu`o			X			
Commissioner Neves			X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Nine (9) Yes votes.						

OFFICE OF THE CHAIRMAN

ITEM C-2 Approval of the DHHL NAHASDA Down Payment Assistance Program Policy

RECOMMENDED MOTION/ACTION

NAHASDA Government Relations Manager Lehua Kinilau-Cano presented the following:

Motion to approve the DHHL NAHASDA Down Payment Assistance Program Policy.

L. Kinilau-Cano mentioned that no changes had been made since the last month’s discussion. The program allows the department to assist families with down payments for homes, particularly for those with income between 80 to 100 percent of Area Median Income (AMI), with a budget cap of 10 percent for this category.

DISCUSSION

Commissioner Marfil asked for clarification about the AMI group. L. Kinilau-Cano stated that some families are just above the 80% income threshold, making them ineligible for certain affordable financing options, such as 0% or 1% loans. To address this, the proposal aims to provide down payment assistance, which can be combined with other financing options like FHA 247 or HUD 184 loans. While not as favorable as some programs, this approach would help reduce monthly payments and offer more options for families in the "gap group" who earn just above the eligibility limit but still face financial challenges.

Public Testimony – Germaine Meyers

G. Meyers emphasized the need to appeal to HUD to raise the 10 percent cap for down payments, highlighting the challenges faced by many Native Hawaiians. NAHASDA clarified that the 10 percent cap is based on HUD regulations, and any request for exceeding it would require HUD approval.

Public Testimony – Blossom Feiteira

B. Feiteira noted the positive impact of the down payment assistance program and urged the commission to support the policy. She emphasized the importance of producing homestead lots to deploy federal funds effectively. The meeting concluded with a motion to approve the policy, which passed unanimously.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Kaneakua, to approve the Consent Agenda as stated in the submittal.						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas			X			
Commissioner Lasua			X			
Commissioner Kaleikini			X			
Commissioner Kalepa			X			
Commissioner Kaneakua		X	X			
Commissioner Marfil			X			
Commissioner Namu`o			X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			8			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Nine (9) Yes votes						

ITEM C-3 Approval of 2025 Legislative Proposals

RECOMMENDED MOTION/ACTION

NAHASDA Government Relations Legislative Analyst Oriana Leao presented the following:

Motion to approve the legislative proposals to be recommended for inclusion in the Administration's legislative package for the 2025 regular session.

O. Leao stated that the proposals have been prepared by the Department of Hawaiian Homelands (DHHL) and are pending final approval after a thorough review process involving the Department of the Attorney General, the Department of Budget and Finance, and the governor's policy team. The commission has the authority to amend or withdraw measures during this review phase.

The department received 23 recommendations for legislative proposals and has summarized 15 of them for consideration. The speaker expressed gratitude to all who submitted proposals and engaged in community meetings. The detailed summaries and draft bills, along with justification sheets, were provided in the meeting package for the commissioners.

DISCUSSION

Commissioner Neves inquired about potential conflicts of interest regarding the HHFDC voting proposal, which was confirmed not to be an issue after a review.

Commissioner Kaleikini emphasized the need for the department to focus on blood quantum issues and their historical context, referencing Act 80 from 2017. He confirmed ongoing support for Act 80, noting that a letter of support had been drafted and sent to the Secretary of Interior.

Commissioner Naumu'o expressed support for several proposals, emphasizing the importance of the Independent Counsel proposal and water resource management for housing development.

O. Leao clarified that the proposals would not be finalized until approved by the commission, followed by a review and potential revisions before the final draft is submitted by November 25th for legislative introduction.

Public Testimony – Germaine Meyers

G. Meyers expressed concern regarding the proposal for independent legal counsel, stating that the wording of the bill could give the impression that the commission cannot currently retain independent legal counsel outside of the Attorney General's office. Myers referenced a specific contract awarded to Watanabe Ng LLP for legal services, emphasizing that the commission already can hire independent legal counsel. Regarding geothermal resources, explaining the complexities of passing geothermal legislation because of historical conflicts and raised concerns about the current proposal's likelihood of success due to past animosities between key legislators. She urged caution in associating with certain entities, warning that such affiliations could jeopardize legislative support.

Public Testimony – Kapua Keliikoa-Kamai

K. Kamai expressed strong support for the idea of independent counsel, emphasizing its necessity for serving beneficiaries effectively. She reiterated that while there is an existing independent counsel, it is essential to formalize this through legislative action

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Kaneakua, to approve the Consent Agenda as stated in the submittal.						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas			X			
Commissioner Lasua			X			
Commissioner Kaleikini			X			
Commissioner Kalepa			X			
Commissioner Kaneakua		X	X			
Commissioner Marfil			X			
Commissioner Namu`o			X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Nine (9) Yes votes						

ITEM E-1 Approval of Lease Award Pu‘uhona Subdivision Residential Offering – Phase 1, Waikapū, Maui (see exhibit)

RECOMMENDED MOTION/ACTION

Acting Housing Project Branch Manager Michelle Hitzman presented the following:

Motion to approve the awards of Department of Hawaiian Home Lands Lot Leases to the applicants listed below for ninety-nine (99) years, subject to the purchase of the existing improvements on the lot by way of a loan or cash to:

- Pu‘uhona Subdivision Residential Offering – Phase 1, Waikapū, Maui
- LYNN U.C. OKAZAKI Lot No. 24, Lease No. 13076 TMK (2) 3-5-044-024
- JOANNE BROWN Lot No. 72, Lease No. 13096 TMK (2) 3-5-044-072

M. Hitzman requested a motion to approve the lease awards for 99 years, contingent on the purchase of existing improvements by cash or loan. She expressed gratitude for the commissioners' efforts in making this project a reality, noting that many beneficiaries were excited about this opportunity after long waiting periods on the waitlist.

Public Testimony – Blossom Feiteira

B. Feiteira expressed appreciation for the commissioners' work on the project. She highlighted the excitement among beneficiaries who have waited an average of 23 years for this opportunity. She emphasized the positive impact of this project on the community and thanked the commissioners for their efforts.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Kaneakua, to approve the Consent Agenda as stated in the submittal.						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas			X			
Commissioner Lasua			X			
Commissioner Kaleikini			X			
Commissioner Kalepa			X			
Commissioner Kaneakua		X	X			
Commissioner Marfil			X			
Commissioner Namu`o			X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Nine (9) Yes votes						

LAND MANAGEMENT DIVISION

ITEM F-1 Approval to Annual Renewal of Right of Entry Permit(s) and Conversion to Revocable Permits, Oahu Island – EXCEPT Kalaeloa (See Exhibit F-1)

RECOMMENDED MOTION/ACTION

Income Properties Manager Kahana Albinio presented the following:
Motion to Approve Annual Renewal of Right of Entry Permit(s) and Conversion to Revocable Permits, Oahu Island – EXCEPT Kalaeloa

DISCUSSION

K. Albino requested approval for the permits, clarifying that the highlighted gray areas in the report pertained to beneficiaries.

Commissioner Namuo inquired about a delinquency listed in the report. K. Albino confirmed it was an oversight, assuring that all listed properties were compliant and current with their payments.

Public Testimony – Patty Kahanamoku Teruya

P. Teruya, a witness from Nanakuli, expressed concerns about the compliance of properties under right of entry permits. She argued that some properties, despite being classified as agricultural or ranch land, had structures being rented out for events, violating compliance regulations. Teruya highlighted the importance of ensuring that properties are used in accordance with their designated permits, especially considering safety concerns in the community. She urged the commission to investigate potential violations and work closely with the community to maintain compliance. She called for a proactive approach in investigating properties that may be non-compliant, reinforcing the importance of safety in the community. She voiced support for items F5 and F6, advocating for the Punanaleo program to receive similar waivers to those granted in other areas, emphasizing the need for financial support for the program to continue its work with children.

Public Testimony - George Akana

G. Akana reflected on his experiences over the past year since being awarded a lease at Kilihau Street in the Mapunapuna industrial area. He described the location as somewhat seedy and highlighted his ongoing struggles with the lease, stating that despite being awarded a lease, it remained on a month-to-month basis. This arrangement restricted his ability to make improvements and investments in the property. Akana noted the property's poor condition, emphasizing that it had been ransacked by homeless individuals and lacked utilities, leaving it essentially as a shell. He expressed frustration at having to act as a security guard and cleanup crew.

Akana urged the commission to provide better tools for business owners and beneficiaries to make properties usable and investable, suggesting tenant improvement credits to allow businesses to invest without fear of losing their investments due to sudden lease terminations. He shared his struggles in applying for general leases, citing disqualification due to tax clearance and insufficient improvement details, and criticized the high requirements set by DHHL for property improvements, which he felt were unreasonable given property conditions. He also argued that property value assessments failed to consider local issues, leading to inflated prices and making leasing unfeasible. Emphasizing the challenges faced by Native Hawaiian businesses, Akana called for financial support, while a commissioner acknowledged the need to assist these businesses and suggested exploring discounts or loan programs to help.

Chair Watson discussed potential revisions to policies that govern leases and property management. There was a recognition of the difficulties faced by businesses like Akana's and the importance of

providing a more conducive environment for Native Hawaiian businesses to operate. The need for a balance between generating revenue for the program and supporting local businesses was highlighted, and suggestions were made to reconsider policies regarding rent participation and general lease terms.

Commissioner Neves reiterated concerns about compliance issues and property management in areas like Lyman Ranch and Nanakuli Ranch. Land Manager Kalei Young mentioned that the ROE for Lyman Ranch includes a provision to maintain the caretakers' dwellings and the importance of having individuals on-site to ensure properties are well cared for. A call for further investigation into compliance issues was made, particularly concerning reports of potential misuse of properties.

The discussion concluded with a consensus on the importance of engaging the community and ensuring that compliance regulations are upheld. The commissioners agreed on the need for ongoing dialogue about improving the leasing process and supporting Native Hawaiian businesses, recognizing that such businesses are vital to the local economy and community stability.

Public Testimony – Patty Kahanamoku Teruya

P. Teruya reiterated her concerns about illegal structures and the organization of events at Nanakuli Ranch, specifically how these are affecting the community. She mentions complaints about parties and mentions being criticized for trying to stop them.

Commissioner Neves called for more accountability and collaboration with the enforcement team (E-team) to bring people into compliance, emphasizing the risks of allowing non-compliance, including potential accidents on Farrington Highway. The speaker stresses the importance of protecting the homestead.

Commissioner Kalepa asked about the process of fines for illegal activities. K. Albinio clarified that the only enforcement mechanism is the termination of the permits.

Commissioner Marfil cautioned about the vacuum effect that would occur if for instance the Akana Brothers, Nanakuli Ranch, and Lyman Ranch, were not there. How easily new occupants could move in after the departure of current ones.

Public Testimony – Germaine Meyers

G. Meyers raised an issue about rent discrepancies, where one non-Hawaiian tenant, Kenneth Hicks, pays only \$20 a month for six acres of land while others pay significantly more. She questioned why non-Hawaiians are being given agricultural land on Oahu while Native Hawaiians remain on waiting lists. He criticizes the Department of Hawaiian Home Lands (DHHL) for allowing this discrepancy and for not including the required property inspection reports with the parcel proposals. He argues that the land in question could be better used for Native Hawaiians waiting for agricultural lots.

Actin Land Management Administrator Linda Chinn reveals that Hicks' land is in a flood zone, which is why it cannot be used as a homestead. While it is currently being used for growing plumeria trees, this situation raises questions about whether the land is being used optimally. Chair Watson suggested converting some parcels to homesteads where possible, and the discussion expands to include examples of other properties, such as a church that lost its lease due to non-payment and neglect.

Commissioner Neves questioned the wisdom of approving the current proposals without more thorough inspections. One commissioner suggests deferring the decision to allow for a more complete assessment, including the use of the E-team to ensure compliance. The commission agrees that land

should be returned to Native Hawaiians or nonprofits to take care of, instead of allowing these issues to persist.

K. Young mentioned staffing challenges, specifically a shortage of land agents, which has made oversight difficult. He expressed gratitude that three new land agents have been hired.

Commissioner Neves asked to defer action on three parcels (Hicks, Wai'anae Farms, and Lyman) until the next month when proper inspections and reports can be submitted.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Kaneakua, to approve motion as stated in the submittal, except for Nos. 600, 511, 527						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas			X			
Commissioner Lasua			X			
Commissioner Kaleikini			X			
Commissioner Kalepa			X			
Commissioner Kaneakua		X	X			
Commissioner Marfil			X			
Commissioner Namu`o			X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Nine (9) Yes votes						

ITEM F-2 Approval to Issuance of Right of Entry Permit to STATE OF HAWAII – Department of Land and Natural Resources, Waimānalo, Island of O‘ahu, TMK (1) 4-1-011:001 (por.)

RECOMMENDED MOTION/ACTION

Income Properties Manager Kahana Albinio presented the following:

Motion that the Hawaiian Homes Commission (HHC) authorize the issuance of a Right of Entry Permit, covering the subject area identified by Tax Map Key No. (1) 4-1-011:001 (See Exhibit "A") containing approximately 1,306 acres, for the purpose of conducting invasive species search, control, and eradication efforts, specifically for known populations of coqui frogs and goats. The request for access to the subject area would fall between the hours of 8:00 AM and 12:00 AM and include access permission for up to a total of seventy (70) DLNR employees and/or authorized agents. Authorized agents include those programs or entities that are authorized by DLNR employees to assist with control and efforts. This would include staff from the Oahu Invasive Species Committee and the Koolau Mountains Watershed Partnership, both projects of the University of Hawaii Pacific Cooperative Studies Unit, as well as community members that will be subject to DLNR's volunteer protocols. Control and eradication efforts may include habitat modification and the use of aerial equipment to treat remote populations.

Approval and issuance of this Right of Entry Permit (ROE) shall be subject to the conditions listed in the submittal.

K. Albinio presented a request for a Right of Entry (ROE) permit for the Hawaii Department of Land and Natural Resources (DLNR) to conduct invasive species control on 1,306 acres of Waimānalo Island, targeting koki frogs and feral goats. DLNR's efforts, which began in 2021, aim to stop the spread of these species, with koki frogs spreading to the Kuleo'o Forest Reserve and feral goats resurfacing in the Koolau Mountains. The project is a multi-year initiative involving community engagement and habitat modification, such as cutting invasive trees, and environmental considerations like the use of citric acid, with ongoing reporting and potential ROE renewals.

Marigold Zoll, Oahu Branch Manager for the Division of Forestry and Wildlife (DOFA) at DLNR, explained that the department began controlling koki frogs in 2021 in partnership with the Department of Agriculture. However, the frogs have recently spread to the Kuleo'o Forest Reserve, increasing the need for a Right of Entry (ROE) to manage the situation. She also noted that feral goats, previously controlled in 2013, have resurfaced and are moving between DHHL land and the Forest Reserve, posing a threat to watershed resources. These goats represent the only known population in the Koolau Mountains, and DLNR is seeking permission to operate in these areas to prevent further environmental damage.

Zoll emphasized that this invasive species control is a multi-year effort expected to last three to five years, with regular updates provided to the commission and potential renewals of the ROE. She expressed the importance of community involvement, particularly in goat control, as the area is already a public hunting zone. The plan includes habitat modification, such as removing invasive trees to limit the spread of koki frogs, and potential reforestation efforts that could benefit the community and Hawaiian Home Lands beneficiaries. Zoll also addressed concerns over the use of citric acid for frog eradication, acknowledging temporary impacts on native species like snails but stressing that the long-term risks of not controlling the frogs are much greater.

Lily Maka'ila, a planner with the Planning Office, provided three key comments regarding compliance. First, she noted that under Chapter 343 of the Hawaii Revised Statutes, an environmental impact statement, environmental assessment, or exemption is required. She suggested that the action would likely qualify for a pest control exemption under the 2021 DHHL exemption list.

Secondly, she emphasized the need for a Kapaa Kai framework analysis, as required by Article 12, Section 7 of the Hawaii State Constitution. This analysis involves consulting with Native Hawaiian practitioners to ensure the project does not negatively impact traditional practices. Lastly, Maka'ila highlighted that beneficiary consultation, typically required for long-term land use requests, has not yet been conducted.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Lasua, to approve motion as stated in the submittal.						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas			X			
Commissioner Lasua		X	X			
Commissioner Kaleikini			X			
Commissioner Kalepa			X			
Commissioner Kaneakua			X			
Commissioner Marfil			X			
Commissioner Namu`o			X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Nine (9) Yes votes						

ITEM F-3 Approval to Issue Right of Entry Permit, Moloka'i Land Trust, Kalama'ula, Moloka'i Island, TMKS: (2) 5-2-011:001 (por.) & 021 (por.)

RECOMMENDED MOTION/ACTION

Income Properties Manager Kahana Albinio Land Agent Shelly Carreira, and Planner Nancy McPherson presented the following:

Motion that That the Hawaiian Homes Commission (HHC) grant its approval to issue a Right of Entry (ROE) permit to Moloka'i Land Trust for approximately 85.0 acres (more or less) of Hawaiian home lands located in Kalamaula, Moloka'i, TMK: (2) 5-2-011:001 (por.) & 021 (por.) for the purpose of restoration planning for 'Ohi'apilo Pond.

1. Authorize the issuance of a Right of Entry permit to PERMITTEE covering the subject area under the terms and conditions cited below, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current right of entry permit form, as may be amended from time to time;
 - B. The term of the Right of Entry shall be month to month for up to six (6) months, commencing on September 18, 2024, with the option for a two (2) month extension at the sole discretion of PERMITTOR;
 - C. The fee for the term of this ROE shall be gratis;
 - D. The documentation and processing fee shall be waived;
 - E. PERMITTEE shall provide PERMITTOR with data measurements collected and reports generated resulting from the approved access;
 - F. Such other terms and conditions as may be prescribed by the Hawaiian Homes Commission to best serve the interest of the Hawaiian Home Lands Trusts;

2. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR this project will probably have minimal or no significant effect on the environment.

S. Carreira explained that the Ohia Pilo Pond was selected for wetland studies under a grant from the National Fish and Wildlife Foundation (NFWF). The purpose of the project is to conduct studies that will aid in restoring the pond, including the evaluation of existing environmental data, mapping invasive species such as mangroves, and developing a removal plan. Additionally, the Moloka'i Land Trust, along with DHHL and other partners, aims to ensure that the community's restoration vision remains central to the effort while building capacity for the community to manage the site.

The ROE permit is set to be short-term, operating on a month-to-month basis for up to six months, with the possibility of an extension if weather conditions cause delays. The Moloka'i Land Trust has no interest in long-term management of the pond, and the project will focus on collecting hydrological data and other information to develop a long-term strategy. Planner Nancy McPherson acknowledges the challenges DHHL has faced in securing resources and conducting the necessary scientific analysis since inheriting the site after the Maui Consent Decree.

There has been ongoing communication with the Kalama'ula Homestead Association and the community regarding the restoration project. At least one community meeting has been held, but beneficiaries have expressed confusion about the nature of the project. The ROE permit does not involve a long-term land use request, as the project is focused solely on data collection. The Moloka'i Land Trust has agreed to apply for the grant and manage it, but further beneficiary consultation will be required as the project progresses.

Since the project involves data collection, it qualifies for an exemption under the Planning System Rules (HAR Section 10-4-60), which applies to place-based projects requiring an Environmental Assessment (EA) or Environmental Impact Statement (EIS). The Moloka'i Land Trust is providing the technical expertise for the project, but beneficiary input remains essential. The team plans to conduct a Kapa'a-Kai analysis to ensure that long-term management strategies reflect the community's needs.

Commissioner Lasua shared personal experience with the land and its changes over time. He expressed support for the project, particularly the idea of collecting environmental data to inform future restoration efforts. However, they also emphasize the importance of involving the Kalama'ula Homestead Association in the process, stating that they would support the permit if this partnership is formalized.

Helen Rain from the Molokai Wetland Partnership noted that the grant includes an education component. Schoolchildren have already visited other wetlands in the area, and the Homestead Association can be included in the educational aspect of the project. The purpose of the grant is to provide data that will enable DHHL and the beneficiaries to make informed decisions about the future of the wetland, rather than the Moloka'i Land Trust taking control of the site.

Further discussions highlight the importance of ensuring that the community is actively involved in the restoration process. The Moloka'i Land Trust agrees to partner with the Kalama'ula Homestead Association, and there is a desire to involve youth in educational activities to foster a connection with the land. DHHL also commits to improving communication with beneficiaries and to providing resources for long-term employment and management strategies once the restoration plan is in place.

The commissioner reiterates their support for the project, noting that the community's involvement will be crucial to its success. The meeting concludes with an understanding that the Moloka'i Land Trust will collaborate closely with the Kalama'ula Homestead Association and other local groups to

ensure the project's success. DHHL also plans to provide a more detailed update to the commission on broader climate change initiatives, including the work being done on wetlands and community resilience plans across Moloka'i.

Public Testimony – Sybil Lopez

S. Lopez stated there were two separate projects: a plan and a wetlands initiative. She emphasized that the community beneficiaries were not involved from the beginning, and there is a disconnect between the work the Department of Hawaiian Home Lands (DHHL) does and what the beneficiaries are doing. She advocates for more integration and collaboration, with a focus on the beneficiaries being involved in decision-making and stewardship.

Lopez highlights the challenges beneficiaries face, including the lack of capacity building and financial support, in contrast to non-beneficiaries who easily access grants and funding. She stresses the importance of environmental stewardship as a long-term, generational responsibility and emphasizes the need for beneficiary associations to lead these initiatives. Lopez also expresses concern over confusion surrounding the Right of Entry (ROE) application process, particularly the requirement for beneficiary consultation, and calls for improved communication and documentation by the staff responsible for these applications.

Lopez further raises concerns about the integration of DHHL-initiated projects into the resilience plan, arguing that beneficiaries should lead these efforts. She fears that DHHL's involvement could result in the department receiving funding intended for the community and calls for the removal of a specific DHHL project from the resilience plan to keep it beneficiary-driven. Additionally, she urges the commission to ensure that DHHL staff protect the rights of beneficiaries and allow them to continue their environmental stewardship, preserving ancestral practices and maintaining control over projects that impact their lands and resources.

MOTION/ACTION

Moved by Commissioner Lasua, seconded by Commissioner Neves, to approve motion as stated in the submittal, and to include the partnership with the Kalamaula Homestead Association.						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas			X			
Commissioner Lasua	X		X			
Commissioner Kaleikini			X			
Commissioner Kalepa			X			
Commissioner Kaneakua			X			
Commissioner Marfil			X			
Commissioner Namu`o			X			
Commissioner Neves		X	X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Nine (9) Yes votes						

ITEM F-4 Approval to Fourth Amendment to Right of Entry Permit No. 704, Hawaiian Telcom, Inc., Portions of Various Tax Map Keys, Islands of Kaua‘i, Oahu, Molokai, Maui, Hawaii, State of Hawaii

RECOMMENDED MOTION/ACTION

Income Properties Manager Kahana Albinio Land presented the following:

Motion to Approve a Fourth Amendment to Right of Entry No. 704 is subject to the following conditions:

- A. The extended term of the ROE shall be month to month for up to 12-months, commencing on September 3, 2024;
- B. The processing and documentation fee is set at \$150.00;
- C. Except as amended herein, all of the terms, conditions, covenants, and provisions of Right of Entry No. 704 and the First Amendment shall continue and remain in full force and effect; and
- D. The Amendment document shall be subject to review and approval of the Office of the Attorney General, State of Hawaii.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Lasua, to approve motion as stated in the submittal.						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas			X			
Commissioner Lasua		X	X			
Commissioner Kaleikini			X			
Commissioner Kalepa			X			
Commissioner Kaneakua			X			
Commissioner Marfil			X			
Commissioner Namu`o			X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Nine (9) Yes votes						

ITEM F-5 Approval to Issuance of License Agreement, Aha Pūnana Leo, Inc., TMK No.:(1) 8-9-001:004(Por.), Nanaikapono, Nanakuli, Island of Oahu

RECOMMENDED MOTION/ACTION

Land Agent Kaipo Duncan presented the following:

Motion that the Hawaiian Homes Commission (HHC) authorize the issuance of a 20 year License Agreement to Aha Punana Leo, Inc. covering the subject area as identified and described below to use as a Hawaiian language immersion educational learning site:

Approval and issuance of this License Agreement shall be subject to the conditions listed in the submittal.

Land Agent Kaipo Duncan presented the request of a 20-year license agreement to Aha Pūnana Leo, a Hawaiian language immersion school, for the use of a site on Oahu. The school has been at the site since 2003 and has provided essential educational services for underprivileged children.

Commissioners Kaleikini and Freitas supported waiving the monthly fee for the school, similar to a previous waiver granted for a site in Waimea.

Commissioner Freitas spoke about the importance of Hawaiian language education, emphasizing its role in empowering the community and preserving culture. The commissioners unanimously support the motion to waive the fee for Aha Pūnana Leo, recognizing the critical role that education plays in rehabilitating and advancing the Hawaiian people.

MOTION/ACTION

Moved by Commissioner Kaleikini, seconded by Commissioner Freitas, to approve the motion as stated in the submittal, additionally to waive license fees.						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas		X	X			
Commissioner Lasua			X			
Commissioner Kaleikini	X		X			
Commissioner Kalepa			X			
Commissioner Kaneakua			X			
Commissioner Marfil			X			
Commissioner Namu`o			X			
Commissioner Neves			X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Nine (9) Yes votes						

Public Testimony – Kapua Keliikoa-Kamai

K. Kamai thanked the commission for their decision to waive the fee for the educational site. She highlights the importance of the Hawaiian language for young children and the role of Punana Leo schools in shaping future generations.

ITEM F-6 Approval to Issuance of License Agreement, Honolulu Community Action Program Inc. (Head Start), TMK No. (1)8-9-001:004(Por.), Nanaikapono, Nanakuli, Island of Oahu

RECOMMENDED MOTION/ACTION

Land Agent Kaipo Duncan presented the following:

Motion that the Hawaiian Homes Commission (HHC) authorize the issuance of a 20 year License Agreement to the Honolulu Community Action Program, Inc. (Head Start), covering the subject area as identified and described below to use as an early childhood learning site:

Approval and issuance of this License Agreement shall be subject to the conditions listed in the submittal.

MOTION/ACTION

Moved by Commissioner Kaleikini, seconded by Commissioner Freitas, to approve the motion as stated in the submittal, additionally to waive license fees.						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas		X	X			
Commissioner Lasua			X			
Commissioner Kaleikini	X		X			
Commissioner Kalepa			X			
Commissioner Kaneakua			X			
Commissioner Marfil			X			
Commissioner Namu`o			X			
Commissioner Neves			X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Nine (9) Yes votes						

PLANNING OFFICE

ITEM G-1 Approval to Issuance of License Agreement, Honolulu Community Action Program Inc. (Head Start), TMK No. (1)8-9-001:004(Por.), Nanaikapono, Nanakuli, Island of Oahu

RECOMMENDED MOTION/ACTION

Planner Lily Makaila presented the following:

Motion that the Hawaiian Homes Commission

- 1) Approve the Final Waimānalo Regional Plan Update (2024) (Exhibit A); and
- 2) Authorize the dissemination of the Final Waimānalo Regional Plan Update (2024)

L. Maka‘ila, introduced the final Waimānalo Regional Plan update for approval. The update includes a detailed account of the process that began in January, with several stages of beneficiary consultations involving the Waimānalo Hawaiian Homes Association and beneficiaries. Four consultation meetings were held between March and July, followed by a polling period and a comment period. Now, the final draft is presented for approval.

Plan Update (2024) in Exhibit A. A full Draft is available on the project website at:

<https://dhh1.hawaii.gov/po/Waimānalo-regional-plan-update-2024/>

The outreach strategy used to engage the community, involved a project website, postcard mailings to 1,307 beneficiaries (both lessees and applicants), email notifications, and support from the Hawaiian Homes Association. Despite the seemingly small attendance at the consultation meetings, these were the most well-attended beneficiary consultations in the planner’s experience. This highlights the strong engagement of the Waimānalo community.

Priority Projects for the Waimānalo Region

1. Development of Agricultural Homesteads: With only two agricultural lessees despite Waimānalo’s agricultural history, the community seeks to prioritize more agricultural homesteads, especially focusing on a 52-acre undeveloped parcel known as Wong's Farm.
2. Kauhale Waimānalo Community Expansion: An expansion of the community use area to provide more spaces for families and the extended community.
3. Grants for Homestead Renovations: The community wants access to DHHL trust funds to support the renovation of aging homesteads, often passed down through generations.
4. Waimānalo Business Park Development: A proposal to develop a 30-acre space for small Native Hawaiian businesses, potentially combined with the Kauhale Waimānalo project for cohesive development.
5. Extension of Homestead Leases in Perpetuity: Beneficiaries are seeking an extension of the 99-year lease term, possibly requiring a congressional amendment.

Regional Concerns and Additional Issues

Concerns expressed by the community during the consultations, though not necessarily addressed within the regional plan:

1. Waimānalo Area Waitlist: A major concern with 518 applicants on the waitlist, some waiting since the 1950s. There is a need to explore options for these long-waiting individuals, including undivided interest leases.
2. Conservation Efforts: The lack of conservation efforts on the 1,400 acres of conservation land in Waimānalo was raised, especially concerning invasive species like the coqui frog and coconut rhinoceros beetle.
3. Communication Issues: The community expressed frustration with poor communication, particularly about projects like sewer improvements and invasive species control. There is a demand for better standardized procedures and accessible information.

L. Makaila emphasized the importance of implementing the priority projects beyond the plan update and ensuring resources are allocated effectively.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Lasua, to approve motion as stated in the submittal.						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas			X			
Commissioner Lasua		X	X			
Commissioner Kaleikini			X			
Commissioner Kalepa			X			
Commissioner Kaneakua			X			
Commissioner Marfil			X			
Commissioner Namu`o			X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Nine (9) Yes votes						

ITEM G-2 Declare a Finding of No Significant Impact (FONSI) for the King’s Landing Kuleana Homestead Settlement Plan Final Environmental Assessment, Waiākea, Hawai‘i Island, TMK Nos. (3)-2-1-013:001, 007, 008, and 149

RECOMMENDED MOTION/ACTION

Planner Julie Cachola presented the following:

Motion that the Hawaiian Homes Commission (HHC) issue a Finding of No Significant Impact (FONSI) declaration based on the Final Environmental Assessment (FEA) for the King’s Landing Kuleana Homestead Settlement Plan, and that the HHC approve changes in the Land Use Designations to be consistent with the Kuleana Homestead Settlement Plan.

J. Cachola presents the final environmental assessment and declares a finding of no significant impact. The presentation is led by Kealoha Mossman of G70 and Ainaaloha Ioane of MAHA, a community organization guiding the project. The purpose is to update the commission on the draft environmental assessment and approve changes in land use designations for the settlement plan. The King's Landing project involves a 1,334-acre area near Hilo, Hawaii.

A. Ioane shared that her presentation focused on the relationship with the department and the historical context leading to the present situation. She discussed how King's Landing represented a successful alternative model for Hawaiian homesteading. She emphasized four values central to the rehabilitation of King's Landing and how these values were essential for survival and the connection to the land.

Core Values of Rehabilitation

- 1) Subsistence and ‘Āina: The connection to the land is fundamental to healing and self-sufficiency.
- 2) Ohana Sovereignty: Families received raw land, built their homes, and rehabilitated themselves.
- 3) Self-Determination: Each family defined their rehabilitation individually, with some focusing on the ocean and others on farming.
- 4) Community Self-Governance: MAHA is the democratically elected body that governs King's Landing.

A. Ioane provided a historical overview of King's Landing's stewardship, explaining that the area became part of the Hawaiian Homelands Inventory in 1921, with native families already residing there. Fishing activity increased in the 1960s, and Uncle Bill Pakani received permission from the Hawaiian Homelands commissioners to live there. However, eviction notices followed in the 1970s and 1980s, leading to negotiations. In response to these threats, the Ioane and Pakani families formed MAHA in 1982, aiming to live and rehabilitate as Native Hawaiians on their ancestral land. Despite receiving a right of entry in 1985 and completing a subsistence management plan, communication with the Department of Hawaiian Homelands stalled for many years.

In 1999, MAHA inspired the Kuleana subsistence homesteading model in Kahiki Nui, Maui. A second right of entry was signed in 2001, and MAHA continued advocating for land settlement despite numerous setbacks. In 2021, the commissioners formed an investigative group to explore King's Landing, and by 2022, the group recommended moving forward with a settlement plan. MAHA has collaborated with the planning department and G70 to develop this plan, which focuses on rehabilitating the land and creating kuleana lots for beneficiaries. Ongoing negotiations with DOT Airports and the completion of an environmental assessment (EA) have raised concerns about traffic, water resources, and the impact of Hilo Airport, all of which will be addressed in the final EA.

Note: The Zoom feed experienced technical issues. Chair Watson called for a recess.

RECESSED
RECONVENED

4:43 PM
4:50 PM

K. Mossman added that the planning process for King's Landing is moving forward, with G70 preparing the final EA for publication by October 2024. There were comments and each will be addressed in the final EA. The King's Landing settlement plan envisions kuleana lots for beneficiaries and aims to create a sustainable, subsistence community that honors the cultural connection to the land.

MOTION/ACTION

Moved by Commissioner Neves, seconded by Commissioner Lasua, to approve motion as stated in the submittal.						
Commissioner	1	2	AYE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Freitas			X			
Commissioner Lasua		X	X			
Commissioner Kaleikini			X			
Commissioner Kalepa			X			
Commissioner Kaneakua			X			
Commissioner Marfil			X			
Commissioner Namu`o			X			
Commissioner Neves	X		X			
Chairman Watson			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Nine (9) Yes votes						

Note: Slide Presentation attached.

ANNOUNCEMENTS AND RECESS

1. DHHL Community Meeting, Monday, September 16, 2024. 6:30 p.m. Blanche Pope Elementary School Cafeteria 41-133 Huli St. Waimānalo, HI 96795

RECESS

4:55 PM

HAWAIIAN HOMES COMMISSION

Minutes of September 16, 2024

Hale Ponoii, 91-5420 Kapolei Parkway, Kapolei, Oahu, 96707, and Zoom

PRESENT

Kali Watson, Chairperson
Makai Freitas, West Hawai'i Commissioner
Michael L. Kaleikini, East Hawai'i Commissioner
Walter Kaneakua, O'ahu Commissioner
Lawrence Lasua, Moloka'i Commissioner
Sanoë Marfil, O'ahu Commissioner (ICT)
Pauline N. Namu'o, O'ahu Commissioner (ICT)
Dennis L. Neves, Kaua'i Commissioner

COUNSEL

Alana Bryant, Deputy Attorney General

EXCUSED

Archie Kalepa, Maui Commissioner

STAFF

Katie L. Lambert, Deputy to the Chair
Richard Hoke, Executive Assistant to the Chair
Leah Burrows-Nuuanu, Secretary to the Commission
Juan Garcia, Homestead Services Division Administrator
Kalani Fronda, Acting Administrator, Land Development Division
Linda Chinn, Acting Administrator, Land Management Division
Lehua Kinilau-Cano, NAHASDA Government Relations Program Manager
Kahana Albinio, Land Management Division
Diamond Badajos, Information and Community Relations Officer
Nancy McPherson, Planner

ORDER OF BUSINESS

CALL TO ORDER

Chair Watson called the meeting to order at 9:37 a.m. Eight (8) members were present in person, and two (2) members attended via Zoom, establishing a quorum.

Chair Watson announced that the Commission would start with Public Testimony, then move to Item C-6, D-1, G-3, G-5, G-6, and the J Agenda. At Noon the Commission will recess for lunch. Chair mentioned that he would excuse himself at 11:30 a.m., to attend the CNHA Conference. He thanked Commissioner Kaneakua for conducting the meeting in his absence.

PUBLIC TESTIMONY ON AGENDIZED ITEMS

None.

ITEMS FOR INFORMATION/DISCUSSION

OFFICE OF THE CHAIRMAN

ITEM C-6 **For Information Only – Status Report of DHHL Enforcement Unit Efforts and Statistics (August 12, 2024 – September 8, 2024)**

RECOMMENDED MOTION/ACTION

None. For Information Only – Enforcement Unit Administrator David Hoke presented the following:

D. Hoke summarized the Enforcement Unit’s work from August 12th to September 8th. During this period, the unit received 11 investigation requests and produced 23 reports, bringing the total for the year to 155. Casey Corpuz began as the new legal assistant, assisting with responses to lessees for remediation efforts, a task previously handled by Homestead Services Division. Investigator Nick Bolan became certified to fly drones, which helped in tasks like locating individuals on large parcels of land.

Staff attended National Native American Law Enforcement training, enhancing skills in drone assessment, wildfire investigations, and other tactics. The unit also participated in a community event in Nanakuli, collaborating with local law enforcement and prosecutors.

They continued efforts on the Vacant Home Initiative, identifying vacant homes in Papakōlea and Waimānalo. Progress included categorizing homes, contacting lessees, and referring cases for potential funding to bring homes into compliance. Additionally, no new reports of organized criminal activity were received on the west side of Oahu during this time. Nine previous reports were reviewed, with five unsubstantiated, one confirmed, and three pending investigations.

Commissioner Namuo stated that two homes in Papakōlea were of particular interest to the leadership in the area. She would forward the addresses to the Enforcement Unit.

Commissioners thanked D. Hoke for the update and appreciated the explanation of jurisdictional lanes and how interaction with local law enforcement is exponential in terms of community engagement.

Public Testimony – Kekoa Enomoto K. Enomoto suggested creating a homestead property management entity to enforce LIHTC requirements in a culturally appropriate manner, emphasizing clarity, compassion, patience, and community support. She highlighted the importance of sovereignty, self-governance, and self-determination in this process.

Additionally, she proposed that beneficiaries residing in condominiums should seek community gardens on-site or nearby to connect with the ‘āina. She stressed the need for proper implementation of provisions for beneficiary succession during the LIHTC compliance period, emphasizing accountability and collaboration between the department and beneficiaries.

HOMESTEAD SERVICES DIVISION

ITEM D-1 HSD Status Reports

- A.-Homestead Lease and Application Totals and Monthly Activity Reports**
- B.-Delinquency Reports**

RECOMMENDED MOTION/ACTION

None. For Information Only – Homestead Services Division Administrator Juan Garcia presented the following:

J. Garcia summarized the information in the D-1 submittal regarding outstanding leases, application updates, and delinquency reports. As of August 31st, there's a total of 10,056 leases statewide. Of that total, 735 remain as undivided interest leases. Existing applications throughout the state total 47,307 applications, which represents 29,542 applicants.

As far as loan delinquency, the delinquency has stabilized. The statewide delinquency percentage is 25.1%.

PLANNING OFFICE

ITEM G-5 For Information Only- Draft Environmental Assessment (EA) and Anticipated Finding of No Significant Impact (AFONSI) for the DHHL ‘Ewa Beach Homestead Project, ‘Ewa Beach, District of ‘Ewa, Island of O‘ahu, TMK (1) 9-1-001: 001 (portion)

RECOMMENDED MOTION/ACTION

None. For Information Only – NAHASDA Government Relations Program Manager Lehua Kinilau-Cano presented the following:

L. Kinilau-Cano introduced SSFM Consultant Jennifer Scheffel.

J. Scheffel presented the Ewa Beach Homestead Project and submitted its draft environmental assessment for public publication, scheduled for September 23. The project's purpose was to provide residential homesteads to beneficiaries on Oahu's waiting list, creating a culturally respectful community in Ewa. The location spans 80 acres, surrounded by residential areas, with planning focused on infrastructure, environmental compliance, and community engagement.

The project involved extensive technical studies, including environmental assessments, archaeological reviews, traffic studies, and sea level rise analysis. Community outreach was integral, with meetings, consultations, and surveys involving beneficiaries and local stakeholders. Key concerns addressed were traffic, drainage, sea level rise, and access routes for evacuation, resulting in proposed infrastructure improvements and residential plans.

The proposed action includes 220 single-family homes, multi-family units, community-use areas, and agricultural spaces. These homes are located outside of flood zones and sea-level rise areas, and additional measures, such as best management practices for

construction and environmental protection, were outlined in the environmental assessment to minimize impact.

The public comment period will run from September 23 to October 23, with a community meeting scheduled for October 9. The final environmental assessment is expected to be reviewed by December, with plans to seek federal funding for development following the completion of the NEPA process.

Chair Watson appreciated the layout that was presented. Initially, he had concerns about acquiring this property due to the potential risk of water inundation by the end of the century. However, with the proposed use, particularly the development of 220 single-family residential units adjacent to the golf course, he believed it offered great potential. The location seemed favorable, and there is anticipated significant interest in the development. Additionally, once the NEPA process was completed, DHHL would be in a position to pursue federal funding, which aligned well with the timing of the project.

L. Kinilau-Cano emphasized the sentiment of the beneficiaries was the need for more housing options, that while single-family homes are preferred, many people are willing to accept any housing available due to the high cost of living. She also mentioned that traffic concerns, particularly the impact on Fort Weaver Road, were a common issue, but the alternative connection to North Road was seen as a positive solution. This approach was expected to gain support from the community, especially with traffic being a significant concern in the area.

Another issue raised was the overcrowding of local schools, particularly the Campbell complex. In addition, the need for better connectivity for evacuation, especially in the event of a tsunami, was noted, highlighting the importance of the Fort Weaver and North Road connection.

She also pointed out community interest in the lower hatched area with drainage near Puuloa Beach Park. Residents saw the potential for a pavilion or gathering space, which could serve both the local community and generate revenue if used by outsiders for a fee. Overall, there was excitement about opportunities for community gardens, shared spaces, and stewardship of the land.

Commissioner Kaleikini asked for a summary of how DHHL came to have the site in its inventory. L. Kinilau-Cano stated that the 80 acres for the project came from the Hawaiian Homelands Recovery Act, which involved lands previously removed from the trust by the federal government. To make the trust whole, lands were returned by the federal government when they became surplus. In this case, when NOAA no longer needed the land, it was offered to DHHL as surplus land. After a preliminary review, the proximity to residential areas and existing infrastructure made the site a good opportunity for development, despite some challenges such as cultural sinkholes.

Part of the land is still being used by the federal government for the USGS observatory, which requires a large area around their equipment for accurate measurements. While

there were discussions about relocating the observatory to free up more land, it was determined that the site was essential due to its long-established use and the complexity of moving the equipment.

ITEM G-6 For Information Only- Kalaupapa National Historic Park Fuel Storage and Dispensing Facility Draft Environmental Assessment and Anticipated Finding of No Significant Impact, Kalaupapa, Kalawao, Molokai, TMK (2) 6-1-001:001 (portion)

RECOMMENDED MOTION/ACTION

None. For Information Only – Planner Nancy McPherson presented the following:

N. McPherson stated that the National Parks Service Superintendent and Deputy were available yesterday, but when the agenda was pushed to today, they had other commitments.

DHHL assisted the National Park Service (NPS) with its compliance efforts related to HEPA (Hawai'i Environmental Policy Act) and the NEPA (National Environmental Policy Act) process for a fuel tank replacement project at Kalaupapa. The project addressed aging underground fuel tanks that were too close to the ocean and posed risks due to sea-level rise and coastal hazards. DHHL advised NPS to conduct a HIPAA Environmental Assessment (EA) alongside their NEPA requirements. NPS also engaged in Section 106 consultations and worked with the State Historic Preservation Division on compliance.

The project focused on replacing the old fuel tanks with a new, above-ground facility in a safe location outside the tsunami inundation zone. The new site, previously used for agriculture, was chosen for its suitability and minimal environmental impact. Multiple technical studies, including archaeological and cultural assessments, were conducted. The new facility would feature modern safety measures such as spill containment, firebreaks, and leak prevention while being screened by vegetation to minimize its visual impact.

Kalaupapa, managed by multiple agencies including NPS, DHHL, DLNR, and the Department of Health, has been undergoing gradual transitions in management responsibilities. The Department of Health, which has historically managed the settlement since the Kingdom of Hawaii, is slowly transferring utility management to NPS. The National Historic Park manages much of the infrastructure and utilities, and the project aligns with long-term plans to modernize Kalaupapa while preserving its historical significance.

Public outreach and consultation efforts have been ongoing throughout the process. The draft EA for the project was expected to be published on October 8th, with a 30-day public comment period ending on November 7th. Any necessary revisions would be made before a final EA and a finding of no significant impact (FONSI) are requested from the Hawaiian Homes Commission in late 2023.

The discussions involved balancing various interests, including those who wanted to preserve the site, others interested in economic opportunities, and potential homesteading. The transition of responsibilities from the Department of Health, along with the involvement of the National Park Service (NPS) and DLNR, raised numerous concerns, particularly regarding access and the protection of natural resources, which are important to Native Hawaiians.

A community engagement event was planned for October 5th on Moloka'i, encouraging participation from the commissioner and other interested parties. Regular meetings were being held with stakeholders to address these issues, as decisions on the relationship with the NPS and the future of the area needed to be made. Additionally, the Moloka'i Island Plan update, scheduled for fiscal year 2025, would take a closer look at Kalaupapa, with extensive beneficiary consultation as part of the process.

Concerns were raised about past environmental impacts, specifically related to fuel storage and leaks. The Department of Health has been pursuing multiple environmental remediation projects for Kalaupapa, but budget requests for these efforts have faced challenges. The Department of Hawaiian Homelands (DHHL) was working with both the Department of Health and the NPS, and there was a call to support efforts to secure adequate funding for remediation, as millions of dollars would be needed to address issues such as waste landfill covers and construction debris cleanup.

Chair Watson invited Commissioner Lasua and other Commissioners to get involved in the process and be ready to make decisions regarding DHHL's relationship with the National Park Service.

N. McPherson added that the Planning Office is getting ready to start the Molokai Island Plan Update in fiscal year 2025. The procurement process for a consultant will be starting soon. There will be extensive beneficiary consultations.

Commissioner Lasua talked about his time working in Kalaupapa and asked whether the State Department of Health cleaned up the area where they used to store the gas. N. McPherson stated that she would find out. He mentioned someone recently applying for Kalaupapa even though it isn't being offered.

Commissioner Neves suggested that DHHL draft legislation for funding to help DOH with the environmental remediation projects. N. McPherson agreed that it is in the trust's and beneficiaries' best interest to support DOH's efforts to get adequate funding.

RECESSED
RECONVENED

11:28 AM
11:40 AM

Note: Chair Watson excused himself. Commissioner Walter Kaneakua presided over the meeting until its adjournment.

ITEMS FOR INFORMATION ONLY

REQUESTS TO ADDRESS THE COMMISSION

Note: Kahaunani Mahoe asked to defer. Janelle Kahoku Kauahi, Kalani Tassill, Rose Hatori, Donna Sterling, Homelani Schaedel, Summer Lee Yadao, Kenna StormoGipson, Christopher Jungers, De Mont Manaole, and Blossom Feiteira were called. There was no response.

ITEM J-1 Puni Kekauoha

P. Kekauoha presented on behalf of her family, the Moku'ahi Ohana. She shared the history of the family's home at 732 Iaukea Street, built by her uncle Lani Moku'ahi, and explained how the family had to relocate in 2015 due to the home needing replacement. For years, the Moku'ahi Ohana has worked with Hawai'i Community Lending and Hawai'i Community Assets to secure financial resources for the home rebuild. She expressed gratitude for the support of the Department of Hawaiian Homelands (DHHL), particularly Juan Garcia, in helping them through this process.

Puni emphasized the urgency of demolishing the old home to make way for the rebuild, as her cousin and his family, currently renting in Moanalua, face displacement by 2025. The family has now secured finances to move forward, and the lease has been amended to include Leif Moku'ahi's daughter, providing additional financial stability. Puni thanked the DHHL and community organizations for their ongoing assistance and requested further support from the commission to help cover demolition costs, allowing the family to move forward with rebuilding.

Puni also thanked DHHL for their efforts in addressing abandoned homes in Papakōlea. After identifying vacant properties, DHHL sent out letters to lessees, resulting in responses from over half. This effort has brought attention to the need for filling lots and returning people to the land. Puni expressed her appreciation for the work done by the DHHL and committed to providing updates to the commission on the progress of the Moku'ahi Ohana's home rebuild.

Note: Slide presentation.

ITEM J-5 Kahakuako'i Pieper – Waianae Lease Concern

K. Pieper testified on behalf of Muriel Ioane, presenting concerns about unlawful encroachment and trespassing by two lessees on Ioane's property, which borders the Waianae Homestead. She detailed how the lessees had encroached on about 3,000 square feet of Ioane's 50-acre property, despite multiple legal notices. The encroachment includes personal property, chickens, and partitions that have yet to be removed, despite the lessees being served proper notices, including a daily fee for non-compliance.

K. Pieper emphasized that Muriel Ioane, not being a lessee herself, has managed her property responsibly but is now facing hostility from the encroaching lessees, including threats of violence. With rising violence and gun use in the Waianae community, she urged the commission to act quickly to resolve the matter, noting that legal notices had already been served to the lessees and the Waianae Homestead Association, which claimed the issue was beyond their purview. The situation has become more dangerous due to its proximity to recent violent incidents in the area.

K. Pieper provided the commissioners with a map detailing the encroachment, although unable to leave the map for further review. She also shared that another individual has started a garden on Iwane's property without permission, further escalating the tensions. Despite the numerous notices and legal measures, the lessees refuse to move, continuing to cause distress to Iwane and the surrounding community.

K. Pieper emphasized the serious liability this situation presents for DHHL as the leaseholder and implored the commissioners to intervene before the conflict escalates further. Given the rise in gun violence and community tensions, she stressed the urgency of resolving this matter to avoid further hostility or potential harm to Ioane and others.

ITEM J-6 Sherilyn Wahinekapu and Luana Keakealani – Third-Party Grazing

L. Keakealani testified on behalf of her mother, Sherilyn Wahinekapu, the lessee of two ranch leases at Honokaia, Hawai'i Island. She requested approval for third-party grazing agreements submitted in July, which would allow her husband to graze cattle on the property and enable the family to seek drought assistance and implement a water irrigation system. For 18 years, the family has been ranching without access to water, forcing them to haul water daily for their livestock, which has led to both financial strain and the loss of cattle.

L. Keakealani expressed frustration with the DHHL for requiring ranch plans without providing water, questioning the department's review process, and their lack of a water provision plan for Honokaia. She emphasized the emotional toll this situation has taken on her family, noting the stress caused by the lack of support and comparing it to the psychological impacts of droughts on farmers in other regions.

She urged the commission to approve the grazing agreements, which would allow the family to move forward with their water irrigation project. L. Keakealani highlighted inconsistencies in DHHL's handling of similar requests and stressed that the approval would significantly reduce the burdens her family has faced, allowing them to continue their ranching operations.

ITEM J-7 Cindy Teruya – Pu'uhona Awardee Financial Qualification Concerns

C. Teruya testified that she had been on the Hawaiian Homes Maui Island-wide waitlist since 1996. At 66 years old, living on a limited Social Security income, she received a letter in May 2024 about the Pu'uhona subdivision orientation. Despite waiting 28 years, she was given less than 30 days to navigate the pre-approval process, which she was unprepared for. After being denied a mortgage loan by the Central Pacific Bank without any explanation, she found guidance through the Ho'omākaukau sessions, which helped clarify her next steps for improving her financial situation.

She emphasized that many kupuna like herself, with financial limitations and limited access to technology, face similar struggles. She expressed gratitude for the support she received but stressed the need for DHHL to improve its outreach to kupuna on the waitlist well in advance of development projects. She also advocated for DHHL to implement programs that provide direct funding to beneficiaries for home purchases through federal programs, ensuring that their 99-year leases serve as legacies for their keiki and future generations.

ITEM J-8 Leonard Junya Nakoa – Housing Product Innova Panels

J. Nakoa, a beneficiary for over 20 years, testified about a fire-resistant and windproof building product that he believes would benefit beneficiaries in fire-prone areas, particularly after the recent fires in ‘āina. He introduced the product, emphasizing its strength against extreme conditions, and mentioned his partnership with Jerry Gilman, the distributor of Inova Panels, who was available to answer any questions. He acknowledged technical difficulties preventing his other partner, John Brown, from joining, but expressed hope for a more in-depth presentation during the Maui meeting in November.

J. Nakoa explained that this product could provide much-needed safety for homes in dry areas like Lahaina, where the risk of fire is high. He pointed out that embers landing on homes are a major cause of fires, and this fire-resistant product could alleviate some of the stress beneficiaries face when building homes in such areas. He shared that his partner, John Brown, had personally helped a family in need, further highlighting their commitment to providing housing solutions for vulnerable communities.

He also noted that many beneficiaries, especially kupuna on fixed incomes, are discouraged by the high costs of homes, often exceeding \$600,000. J. Nakoa believes this product could be a more affordable and efficient alternative, allowing homes to be constructed more quickly and with less labor. He stressed the importance of finding cost-effective solutions for beneficiaries and offered to answer any questions, with Jerry Gilman available to discuss the technical aspects of the product.

ITEM J-10 Dessarri Poli, Charlene Manu – Pana‘ewa Community Association

C. Manu, a community member of Pana‘ewa Hawaiian Homes in East Hawaii, testified in support of the Pana‘ewa Hawaiian Homes Community Association (PHLCA), led by President Nani Kaeha. She expressed frustration with the ongoing conflict between the original PHLCA and a duplicative organization, which she feels is causing unnecessary division in the community. C. Manu emphasized that her family has a long legacy in Pana‘ewa, with her father playing a key role in building the parks and pavilions in the area, and she urged the commission to support the original PHLCA and cancel a letter sent to the city and county by the opposing group.

D. Poli, also spoke, sharing her involvement in community sports programs and highlighting the importance of using the park facilities and storage rooms for the benefit of local youth. Poli emphasized her commitment to supporting Hawaiian children through athletics and her leadership in a family-oriented program that has served the community since 2010. She expressed concerns about the duplicative organization that has no active programs and asked the commission to help ensure that the original PHLCA, which has been managing the facilities for years, can continue its work.

Both Manu and Poli stressed the significance of their family's contributions to the Pana‘ewa community and the need to work together with the city and county to continue their legacy. They urged the commission to resolve the conflict, protect the original PHLCA's standing, and ensure that the park and recreational facilities remain accessible for community use. Manu concluded by reflecting on how the community has evolved from negative perceptions and is now a place of positive, striving, and successful Hawaiians.

ITEM J-11 Allen Cardines Jr. – Nānākuli Neighborhood Security Watch

A. Cardenas Jr. testified about his deep concern regarding violent crime in the Nānākuli and West Oahu communities. Having served as a pastor at Nanaikapono Church for the past 20 years, he emphasized his commitment to making the community safer. He discussed his involvement in the neighborhood security watch teams, which collaborate with the police, government agencies, and community organizations to prevent and reduce crime in the area. He introduced former gang members and drug dealers, who are now part of his leadership team, working toward creating a positive change in their community.

A. Cardenas explained the need for tougher penalties on criminal activities, particularly in District 8, which includes Kapolei, Nanakuli, and Wai'anae. He highlighted a problematic property near his church that had been a magnet for criminal activities since 2017 and stressed the need for collaboration between the commission, DHHL, and the community to address such issues. He praised the efforts of DHHL's enforcement team but emphasized that more needs to be done, especially in working with those who have turned their lives around to break the cycle of incarceration and contribute positively to the community.

One of the initiatives mentioned was Operation Blue Light Christmas, which brings law enforcement and government together to provide support and unity in the community, especially for children. He shared how notorious former criminals, including Nelson and Eddie Sua, had joined the neighborhood security watch, demonstrating the transformation happening in the community. A. Cardenas stressed that true community transformation occurs when the men involved in crime are rehabilitated, not just when problem properties are shut down.

A. Cardenas appealed to the commission to help shut down drug houses and restore peace in their community. He highlighted the ongoing issues in Pua Ave, where properties have become magnets for drug-related activities and other criminal behavior, posing a public health and safety risk. He urged the commission to collaborate with grassroots movements, such as his neighborhood security watch, to effectively address these challenges and bring hope and stability back to the community.

ITEM J-12 Kainoa MacDonald/Kalaniaka Wilson – Maui Mokupuni

K. Wilson having recently completed their Ph.D. with a focus on genocide, testified about his concern that Native Hawaiians dying while on the waitlist for homesteads constitutes an ongoing form of genocide. They emphasized the urgency of placing 29,500 waitlisters on the land immediately to stop this tragedy. He referenced the continued loss of kupuna on the waitlist as part of a systemic issue targeting Native Hawaiians.

K. Wilson requested that Commissioners seek a legal opinion from the Attorney General's office to clarify, under international law, whether the state of Hawaii exists within U.S. territory or within the Hawaiian Kingdom's territory. This request was made under Hawaii Revised Statute Section 28-3, to ensure that no more waitlisters die without receiving their leases or rehabilitation. He indicated he would follow up this request with a formal letter to the commission.

K. Wilson mentioned an upcoming presentation at the Sixth Annual International Genocide Conference, where they will outline how U.S. policies have perpetuated a state of war and genocide against Native Hawaiians. They also referenced President Ronald Reagan's 1988 ratification of the genocide convention, which will be discussed in further detail in their presentation. He offered to provide more information via letter.

ITEM J-14 Germaine Meyers – Various Concerns

G. Meyers, a Nanakuli Hawaiian homestead lessee, testified about the inoperable emergency sirens near Hawaiian homesteads on Oahu, Kaua‘i, and potentially other islands. He emphasized the importance of working sirens for safety, particularly after the recent fires in Lahaina, and shared specific examples of non-functioning sirens in Nanakuli, Waimānalo, and Kekaha. Myers noted that the Princess Kahanu siren had been inoperable for four years, and residents had raised concerns about not being adequately notified during emergencies. He urged the commission to collaborate with HIEMA to expedite repairs, as delays in procuring parts had left communities vulnerable.

G. Meyers also highlighted the issue of inoperable sirens in Waimānalo, where two out of three sirens were either in need of repair or beyond repair. He suggested that commissioners reach out to Waimānalo community leaders to gather more information and advocate for the repair of these critical emergency systems. On Kaua‘i, she reported that the Kekaha siren, the only one serving the Kekaha homestead community, was also inoperable and required parts, which often take six months to a year to procure. He expressed concern that sirens along the Wai‘anae Coast had been neglected for years and urged the commission to take immediate action.

G. Meyers requested an in-person meeting with O‘ahu Commissioners Sanoe Marfil, Walter Kaneakua, and DHHL staff member Stacy Lynn Eli to discuss broader issues affecting the Hawaiian homestead communities in Wai‘anae Moku. She outlined several topics of concern, including housing, transportation, and employment opportunities for lessees. As a member of the Neighborhood Board's Transportation and Housing Committees, she emphasized the need for support from the commission to address these pressing issues and improve the lives of homesteaders along the Farrington Highway Corridor.

G. Meyers concluded by reiterating his request for a personal meeting with the commissioners and DHHL staff to discuss these matters in detail. He expressed his commitment to representing the needs of the Wai‘anae homestead community and urged the commissioners to take action on the sirens and other challenges impacting the area.

Public Testimony Leilehuanani Kane – Beneficiary Concern

L. Kane began with a moment of silence for her late brother, Chief Maui Loa, whom she described as an important figure in their family and community. She shared personal reflections on her family’s history, including their struggles growing up in foster care and their deep connection to Native Hawaiian identity and land. Myers emphasized the importance of preserving the Hawaiian bloodline and culture, expressing pride in her family’s legacy and connection to the Hawaiian people.

She voiced concerns about the survival of Native Hawaiians and the challenges they face, particularly regarding the mismanagement of resources and land. She compared these challenges to historical struggles, such as the overthrow of the Hawaiian Kingdom and the hardships endured by her ancestors. She called for a reevaluation of the policies affecting Native Hawaiians, urging the commission to continue examining existing laws and agreements in order to secure a better future for the Hawaiian people.

She also highlighted the need for self-sufficiency and survival in the face of global challenges, including potential wars and food shortages. She stressed the importance of Native Hawaiians being prepared to sustain themselves, particularly in times of crisis. Drawing on spiritual beliefs, she encouraged the commissioners to take action to ensure the well-being of the Hawaiian people, advocating for stronger collaboration with international organizations and governments.

Public Testimony Princeslehuani Kumaewakainakaleomomona – Beneficiary Concern

P. Kumaewakainakaleomomona expressed deep frustration with the Hawaiian Homes system, explaining that despite signing up for land and housing 30 years ago, she has not received a home. She stated that she was being forced to move from a three-bedroom house to a small studio due to the lack of land provided by the commission. She questioned whether the system was waiting for them to die before acting, emphasizing the toll the delay had taken on her family, including her children and grandchildren, who have been negatively impacted by the system.

She also mentioned recent personal hardships, including spending time in prison, and criticized the lack of support from the commission over the years. She highlighted the difficulties faced by her family, including exposure to crime and drugs, and expressed frustration over how little has been done to address her concerns. She conveyed a sense of hopelessness and anger, urging the commission to finally take action after decades of waiting.

She sought to meet with the new Maui Commissioner Archie Kalepa, asking for assistance in bringing them home. She asked for empathy and a resolution to her long-standing issue with Hawaiian Homes. She pleaded with the commission to act swiftly and provide the land and home she had been promised.

ANNOUNCEMENTS AND ADJOURNMENT

A. Next Regular HHC meeting – October 21 & 22, 2024, Grand Naniloa Hotel, Sandalwood Ballroom, Hilo, Hawaii.

ADJOURNMENT


2:00 PM

Respectfully submitted:



Kali Watson, Chairman
Hawaiian Homes Commission

Prepared by:



Leah Burrows-Nuuanu, Commission Secretary
Hawaiian Homes Commission

Attachments:

- 1) Public Testimony Sheets
- 2) Public Testimony Index and attachments

Hawaiian Homes Commission Meeting
September 16 & 17, 2024
Public Testimony on Agendized Items

(HHC Testimony link: [dhhl.ICRO1@hawaii.gov](mailto:dhdl.ICRO1@hawaii.gov),
as of Friday, September 13, 2024)

	Name	Agenda Item
1.	Lorilani Keohokalole	C-5
2.	Lei Niheu	C-5
3.	Louisa Keawe	C-5
4.	Michael Hikalea	C-5
5.	Kapali Keahi	C-5
6.	John Omerod Sr.	C-5
7.	Kawaikapuokalani Hewett	C-5
8.	Bonnyjean Manini	C-5
9.	Kekoa Enomoto	F-3
10.	Kekoa Enomoto	Pulehunui
11.	Kelli Keawe	D-2

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Thursday, September 12, 2024 10:45:06 AM

Name

Lorilani Keohokalole

Email

Lorilani675@gmail.com

Please Identify Agenda Item(s):

C-5

Pick One:

Oral/Live Virtual Only - Enter N/A Below

Message

Aloha e nā Luna Ho'omalua o ka Hawaiian Homes Commission,
My name is Lorilani Keohokalole, and I am considering placing my name back on the Hawaiian Homes land waitlist. I am writing to express my strong support for the funding of the Waipouli Courtyards project on Kaua'i, which I believe offers a real opportunity for many Native Hawaiians.
The cost of living on Kaua'i, particularly rent, has become exorbitant, making it nearly impossible for families to find secure housing. This project is not only a practical solution to alleviate the housing crisis on our island but also provides a much-needed opportunity for both our kūpuna and younger generations. The ability for our kūpuna to find safe, sufficient housing in their later years is essential for their well-being and the preservation of our community. At the same time, this project offers young kanaka families, the possibility of achieving stable housing without the overwhelming financial burden.
As a mother, I can't help but imagine the impact this project could have on the future of my own children. Having the chance to live in an affordable home that is safe and close to family could provide any of my four children with a solid foundation in life, allowing them to thrive in the very place our ancestors have called home for generations. Projects like Waipouli Courtyards give us hope for a better future, where Native Hawaiians can remain connected to our 'āina.
This project represents a vital opportunity to address the current housing crisis, and I urge the Hawaiian Homes Commission to prioritize and approve the necessary funding. It offers a lifeline to many families and individuals who, like me, have been waiting for years for the chance to call a place home.
Mahalo nui loa for your consideration.
Me ke aloha pumehana, Lorilani Keohokalole, Native Hawaiian, DHHL Eligible

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Wednesday, September 11, 2024 8:48:25 PM

Name

Lei Niheu

Email

lele_uhane@yahoo.com

Please Identify Agenda Item(s):

C-5

Pick One:

Written Only - Submit Testimony Below

Message

Hawaiian Homes Commission^[1]Department of Hawaiian Home Lands^[1][Address]
Aloha e nā Luna Ho'omalū o ka Hawaiian Homes Commission,
My name is Leianuenue Niheu, and I am a proud Native Hawaiian currently on the Hawaiian Homes land waitlist. I am writing to express my strong support for the Courtyards at Waipouli project on Kaua'i, which I believe will provide much-needed affordable housing for Native Hawaiians.
As a Hawaiian woman, I deeply understand the importance of secure, safe housing—not only as a means of staying connected to our 'āina but also for the physical and emotional well-being of our people, especially our women. Secure housing contributes directly to the safety of Native Hawaiian women, helping to protect us from the vulnerabilities and dangers often faced when stable housing is not available.
The housing crisis in Hawai'i has left many of us, especially kūpuna and women, in precarious situations. For Native Hawaiian women, safe and affordable housing isn't just about a roof over our heads—it's about safeguarding our well-being and protecting our future generations. This project would provide a lifeline to those who have been struggling for years on the waitlist, offering a pathway to secure homes and allowing us to thrive in our homeland.
The Courtyards at Waipouli is an essential step toward addressing the housing disparities that our community faces. By supporting this project, you are helping to create a safer, more stable future for Native Hawaiians on Kaua'i and beyond. I strongly encourage the Hawaiian Homes Commission to move forward with this initiative, which will have a lasting impact on the safety and well-being of our lāhui.
Mahalo nui loa for your time and consideration. I am hopeful that, through projects like these, Native Hawaiians will have access to safe and secure housing in the years to come.
Me ke aloha pumehana^[1]Leianuenue Niheu^[1]Hawaiian Homes Land Waitlist Applicant

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Wednesday, September 11, 2024 6:56:40 PM

Name

Louisa Keawe

Email

louisakeawe@gmail.com

Please Identify Agenda Item(s):

C-5

Pick One:

Written Only - Submit Testimony Below

Message

Hawaiian Homes Commission
Department of Hawaiian Home Lands

Aloha e nā Luna Ho'omalū o ka Hawaiian Homes Commission,

My name is Louisa, and I am a Native Hawaiian currently on the Hawaiian Homes land waitlist. I am writing to express my strong support for the proposed Courtyards at Waipouli project on Kaua'i, which would provide affordable housing solutions for Native Hawaiians like myself.

As someone who has been waiting for an opportunity to secure a homestead, I understand firsthand the challenges that many Native Hawaiians face in obtaining affordable housing in Hawai'i. With the rising cost of living and housing, many of us are struggling to remain rooted in our homeland. This project offers a crucial solution, particularly for the Kaua'i community, where affordable housing is becoming increasingly scarce.

I believe that this initiative will be especially beneficial for our kūpuna and families who have been waiting patiently for housing opportunities. By offering long-term rental options with the potential to transition into homeownership, this project addresses both the immediate housing needs and provides a pathway for our people to secure stable, affordable housing for generations to come.

Supporting this project is not just about housing; it's about ensuring that Native Hawaiians can remain connected to our 'āina and culture. I wholeheartedly believe that the Courtyards at Waipouli will make a lasting positive impact on our lāhui and urge you to move forward with this initiative for the betterment of our people.

Mahalo nui loa for your time and consideration. I look forward to the day when I, along with other Native Hawaiians, can find our home through projects like these.

Me ka ha'aha'a,
Louisa Keawe
Hawaiian Homes Land Waitlist Applicant

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Thursday, September 12, 2024 11:59:58 AM

Name

Michael Hikalea

Email

mikehikalea@yahoo.com

Please Identify Agenda Item(s):

C-5

Pick One:

Written Only - Submit Testimony Below

Message

My name is Michael Hikalea, and I am a homesteader from Waimānalo. I am writing in support of the Waipouli Courtyards rent-to-own project on Kauaʻi. As a current homesteader, I see the value in offering diverse housing solutions to our lāhui, especially considering how severe the housing crisis has become for Native Hawaiians. The rent-to-own model being proposed at Waipouli gives those on the waitlist an opportunity they may not otherwise have—an option to secure stable, affordable housing. It’s important that we, as a community, provide as many pathways as possible to help Hawaiians remain on their homeland. This project is not about taking away homestead lots, but about offering another way for families to stay rooted in Hawaiʻi. The housing crisis is so critical that we need to consider all solutions, and the rent-to-own model offers real potential for families who may not qualify for traditional mortgages but are still striving to own a home. We need to allow our people on the waitlist to make that choice for themselves. Mahalo nui for your time and consideration of this important project.

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Thursday, September 12, 2024 12:10:51 PM

Name

Kapali Keahi

Email

kapalimusic@gmail.com

Please Identify Agenda Item(s):

C-5

Pick One:

Written Only - Submit Testimony Below

Message

Aloha e nā Luna Ho'omalua o ka Hawaiian Homes Commission,

My name is Kapali Keahi, and I am a Native Hawaiian on the homestead waitlist for Maui. I am writing to express my full support for the funding of the Waipouli Courtyards rent-to-own project on Kaua'i.

It's 2024, and the economic reality in Hawai'i has become so dire that many Native Hawaiians are being forced to make the heartbreaking decision to leave Hawai'i in search of affordable housing and better economic opportunities. The rent-to-own option offered through this project gives families the chance to stay in Hawai'i, remain connected to our ancestral 'āina, and uphold our culture. Without Hawaiians in Hawai'i, there is no Hawaiian culture—this project provides a lifeline for those holding on to the hope to stay in our homeland.

It's disappointing to see some current homesteaders—those who already have a house and a lease—speaking out against this project. We need to look beyond ourselves and stand together as a lāhui, especially for those still waiting for their opportunity. This project doesn't take away homestead lots—it provides another option for more Native Hawaiians to remain in Hawai'i.

The Waipouli Courtyards rent-to-own model is an important solution that allows Hawaiians to secure affordable housing, build a future for their families, and ensure that our culture and people continue to thrive here in Hawai'i. With genuine aloha, I urge the Hawaiian Homes Commission to approve funding for this project and give more of our people the chance to stay, live, and thrive here in our pae 'āina.

Mahalo nui loa for your time and for your consideration.

Kapali Keahi
Hawaiian Homes Land Waitlist Applicant – Maui

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Thursday, September 12, 2024 3:03:11 PM

Name

John Omerod Sr.

Email

naniomerod1@gmail.com

Please Identify Agenda Item(s):

C-5

Pick One:

Written Only - Submit Testimony Below

Message

Department of Hawaiian Homelands

Aloha mai kākou,

My name is John Omerod, and I've had the privilege of raising my 'ohana in Papakōlea as a homesteader. I'm writing to express my strong backing for the Waipouli Courtyards project on Kaua'i and its funding. In times like these, when the cost of living is nearly unbearable for many native Hawaiians, this kind of opportunity is more important than ever.

Our people have faced generations of hardship due to colonization and the dominance of foreign interests. This reality has driven home prices so high that it's nearly impossible for many Native Hawaiians to afford to live here. The rent-to-own program at Waipouli offers an opportunity to those on the waitlist, a real chance for families to stay rooted in Hawai'i. It's not just a solution for today—it's a vital option for the future of our lāhui.

I've seen some oppose this idea, but I honestly don't understand why. In today's economic climate, no Hawaiian should be denied the opportunity to consider different options to homeownership. We can't afford to be divided, especially when the cost of housing is pushing so many of our people out of Hawai'i. My hope is that programs like this continue to be developed, so that not only my grandchildren but future generations of Hawaiians will have the chance to stay on the land that sustains our identity and culture.

I humbly urge the Hawaiian Homes Commission to move forward with funding this project. It will give our people one more option to find stability and security at home, and that's something we all need.

Mahalo nui loa,
John Omerod
DHHL Waitlister

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Thursday, September 12, 2024 6:40:47 PM

Name

Kawaikapuokalani Hewett

Email

kawaikapuhewett@hotmail.com

Please Identify Agenda Item(s):

C-5

Pick One:

Written Only - Submit Testimony Below

Message

Aloha nui e nā Luna Ho'omalua o ka Hawaiian Homes Commission,
My name is Kawaikapuokalani Hewett, and I have been on the homestead waitlist since 1972. I am writing today to express my wholehearted support for the Waipouli Courtyards rent-to-own project and the opportunity it represents for Native Hawaiian families.

Our people share an unbreakable connection to the 'āina, and living on our ancestral lands is more than just securing a home—it is about sustaining our identity and passing down the knowledge, values, and cultural practices that define us as Hawaiians. For many Native Hawaiians, the ability to live on their 'āina is central to their sense of belonging and connection to who they are. The Waipouli project, in offering a rent-to-own option, provides our people a way to stay connected to that legacy.

I have seen too many of my brothers and sisters forced to leave Hawai'i due to the overwhelming cost of living, and it deeply saddens me. As a kumu hula and cultural practitioner, I know how vital it is that our people remain here, on our lands, where we can continue to mālama our culture, traditions, and language. Without our 'āina, our culture fades.

This project offers a vital opportunity for many families who have been waiting, like I have, for their chance to live on homestead land. It may not be the traditional homestead, but it is an important step toward providing a realistic option for Native Hawaiians to secure their place or wahi in Hawai'i.

I urge the Hawaiian Homes Commission to fund this project and provide hope and opportunity to families who are waiting.

Mahalo nui loa for your time and consideration.

Me ke aloha 'āina, [SEP]Kumu Kawaikapuokalani Hewett, [SEP]Homestead Waitlist Applicant Since 1972

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Friday, September 13, 2024 12:34:44 AM

Name

Bonnyjean Manini

Email

waimeavalleygirl@icloud.com

Please Identify Agenda Item(s):

HHC Meeting, Monday, September 16, 2024, Agenda Item C-5

Pick One:

Written Only - Submit Testimony Below

Message

Aloha Chairperson Watson and Members of the Hawaiian Homes Commission,

Thank you very much for the opportunity to submit written testimony in support of agenda item C-5 to secure other funding options to purchase 258,929 square feet of land located at 401 Papaloa Road, Kapaa, Hawaii 96746 and improvements thereupon to provide affordable housing for the DHHL Kauai Island Waitlist.

I am a successor lessee along with my brother at Puu Opaie. I support the efforts to secure the Courtyards at Waipouli project because it diversifies the overall portfolio of the agency in the interest of the beneficiaries.

We all want DHHL to continue developing and awarding residential, agricultural, and pastoral homestead lots across the islands to put beneficiaries on the land. However, acquiring and offering 82 apartment units on Kauai should not be viewed as a deviation from these efforts. Instead, it will provide another option for beneficiaries, specifically some of our most vulnerable ohana who would welcome an affordable, rent-to-own apartment unit to call home.

In November 2023, CBS news reported that 15,000 Native Hawaiians move to the continent every year because they are priced out of paradise. The continent now has a larger Native Hawaiian population than we have in the Pae Aina. Most of us have family members who have been displaced because of low paying jobs, high rents, high cost of living, no chance of home ownership in sight or a better quality of life.

Some of our people are living in crowded dwellings; doubled, tripled, or quadrupled up with other households just to have a roof over their heads. Others endure living in substandard accommodations because the rents are high and they cannot afford anything better.

The housing needs and financial situations of the beneficiaries are diverse and therefore the opportunities offered by DHHL should also be diverse.

The Commission should capitalize on this opportunity. The outcome will be the ability to award 82 qualified beneficiaries rent-to-own affordable home ownership near shopping, schools, the ocean, and a developed community with full infrastructure already built for themselves and their households.

Please vote in favor of agenda item C-5, move forward with this project, and continue to do the work of the people in good faith.

Sincerely,
Bonnyjean Manini

September 13, 2024

Aloha mai kakou e Na Hawaiian Homes Commissioners,

On behalf of three beneficiary-owned entities*, I am testifying on agendized item F-3 Approval to Issue Right of Entry Permit, Molokai Land Trust, Kalama'ula, Molokai Island. In this case, a non-Hawaiian, nonbeneficiary entity seeks access to 85 homelands acres, per a recent 8/2/24 query letter. It appears the commission may approve this land-use request without a beneficiary consultation.

Meanwhile, I advocate on behalf of, as follows:

*• The nonprofit Pa'upena Community Development Inc., President Norman Abihai, Waiohuli Hawaiian homesteader.

- Hawai'i Taro Farm LLC, President Bobby Pahia, Waiohuli homesteader.

- The nonprofit Hui 'Ulu Ola O Maui, President Leihuanani Keali'inohomoku, Maui waitlist beneficiary.

Representing the listed entities, I look forward to the same consideration as for F-3. The three native Hawaiian, beneficiary entities seek access to Pulehunui homelands acreage, per the attached 4/19/24 MOA submitted to DHHL Director Kali Watson, at his 1/12/24 behest at the SCHHA convention early this year.

As in the case of item F-3, I hope for expeditious commission approval without beneficiary consultation. And, as with Director Watson's response to F-3, I anticipate in-kind staff Technical Assistance valued at \$7,500 for our proposed homelands agrotourism/residential project conceptualized in the face of Maui's post-wildfires housing crisis.

I will keep the commission posted on our progress.

Mahalo nui,

-ʻAnake Kekoa Enomoto
Co-founding director
Pa'upena Community Development Inc.
(808) 286-2713
kenomoto1@hawaii.rr.com

Memorandum Of Agreement 4/19/24 to DHHL Director Kali Watson on the
proposed Project Pulehunui 'Akau

Three Hawaiian Homes beneficiary-owned Valley Isle entities — Maui Taro Farm LLC, Hui 'Ulu Ola O Maui, and Pa'upena Community Development Inc. — partner to develop and operate Project Pulehunui 'Akau on 177.4 Pu'unene homeland acres (TMK [2] 3-8-008: 035 and 036). The Pulehunui 'Akau agrotourism complex features, as follows:

- 10-acre kalo farm possibly incorporating a la'au lapa'au medicinal herb garden/ orchard.
- 10-acre 'ulu orchard, both 10-acre agricultural endeavors featuring walking tours, water catchments and produce-processing facilities.
- 20-acre retail/cultural center, offering:
 - . Restaurants/tasting rooms/retail shops.
 - . 'Ulu/kalo factory and commercial kitchen.
 - . Native-arts gallery, showcasing cultural practitioners and workshops.
 - . Parking.
- 10-acre solar farm.
- 120-acre housing/community area, encompassing:
 - . 88 one-acre residential/sustainable-ag homestead homes.
 - . 32-person workforce-development housing on 8 acres.
 - . 7-acre education/recreation area with:
 - > 'Opio work/study center affording Punana Leo, and 'olelo Hawai'i immersion school.
 - > Community center.
 - > Adult daycare.

Maui Taro Farm LLC President Uncle Bobby Pahia is a Waiohuli Hawaiian homesteader and the Valley Isle's master kalo farmer, who has been cultivating and managing more than 300 Waikapu acres for a number of years.

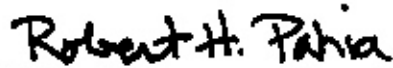
Hui 'Ulu Ola O Maui is an IRS 501(c)(3) nonprofit, whose mission is to promote and educate about the nutritional benefits of 'ulu, or breadfruit, and to teach how to cultivate and prepare 'ulu. Hui 'Ulu Ola O Maui principal Leihuanani Keali'inohomoku serves as charter president of the 8-month-old disaster-relief organization, Na Kia'i O Maui, formed in the wake of the 8/8/23 Lahaina wildfires. The former Kamehameha Maui preschool educator is a Maui Hawaiian Homes residential/agricultural waitlist beneficiary.

Pa'upena Community Development Inc. is a 7-year-old Upcountry Maui-based IRS 501(c)(3) nonprofit. The entity's vision is to fulfill Prince Kuhio's century-old dream for native Hawaiians to reconnect with Waiohuli ahupua'a in thriving agricultural and pastoral communities, and to share this paradigm throughout the pae 'aina, or archipelago. The County of Maui Department of Agriculture just awarded to Pa'upena CDC on 4/18/24 a \$199,200 grant to build water-catchment systems on seven Valley Isle homestead farms.

Leihunui 'Akau MOA 4/19/24. continued:

Mahalo nui for your kind consideration:

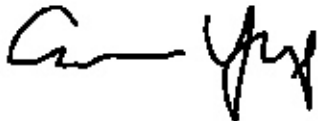
Signed/dated:



Robert Pahia
President, Maui Taro Farm LLC



Robin Leihuanani Keali'inohomoku
CEO, Hui 'Ulu Ola O Maui



Emma Yap
Chairwoman of the board
Pa'upena Community Development Inc.

From: [Kelli Keawe](#)
To: [Burrows-Nuuanu, Leatrice W](#)
Cc: [Jme M.](#); senrhoads@capito.hawaii.gov; [G Young](#)
Subject: [EXTERNAL] Re: DHHL Commissions Meeting Monday 9/16/2024
Date: Tuesday, September 10, 2024 10:53:23 AM
Attachments: [image001.png](#)

Aloha Leah,

Due to DHHL Telephone Communication difficulties, I am emailing you again.

Testimony to the Commissions.....

Mahalo Kelli -

On Tuesday, September 10, 2024 at 10:30:45 AM HST, Kelli Keawe <kkelli4u@aol.com> wrote:

Aloha Leah, and DHHL Commissions

Please submit my request to DHHL Commissions for Monday 9/16/2024 meeting.

Mahalo Ms. Kelli Keawe (808) 782-5777

*DEPARTMENT OF HAWAIIAN HOMELANDS
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707*

Aloha e Chairman Kali Watson and DHHL Commission's,

I Ms. Kelli Keawe would like to hereby appear before the commissions on Monday 9/16/2024 to present the following,

- 1. Request for removal of names on the waitlist, for "Kalima v. DHHL State of Hawaii."*
- 2. Request for rental/mortgage assistance.*

For your consideration I will appear at your next meeting.

I appreciate all you do and look forward to meeting you. If you have any questions, please contact me at (808)782-5777

Mahalo, Ms. Kelli Keawe

**The following
Testimonies were
provided at the table or
by email following the
conclusion of the
meeting.**

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Sunday, September 15, 2024 7:15:37 PM

Name

Claudia Quintanilla

Email

cckapiolaniq@gmail.com

Please Identify Agenda Item(s):

C-5

Pick One:

Written Only - Submit Testimony Below

Message

Aloha e Hawaiian Homes Commission,

My name is Claudia Quintanilla, and I am a proud Hawaiian homesteader in Kaupē'a, Kapolei, on O'ahu. I am writing today to express my support for the Waipouli Courtyards rent-to-own project on Kaua'i and the tremendous opportunity it represents for Native Hawaiian families.

For many of us, the connection to the 'āina runs deep—living on our ancestral lands is more than a matter of residence. It is about maintaining our identity as Hawaiians and passing down the cultural practices, values, and knowledge that define who we are. Being rooted in the 'āina gives us the ability to mālama our land and culture, and for countless Native Hawaiians, this connection is the foundation of our sense of belonging.

In my time as a homesteader, I have seen how the high cost of living has forced too many of our people to leave Hawai'i. The rent-to-own option offered by the Waipouli project is a lifeline—a realistic and vital way for more Native Hawaiians to secure their place on their own lands. It is a necessary step toward ensuring that our people can remain where they belong, connected to our 'āina and able to carry forward the cultural practices that keep us grounded.

This project represents hope for families like mine, who understand the importance of having a home on homestead land. While Waipouli may not be the traditional homestead, it is a valuable opportunity for Native Hawaiian families to remain on the islands and in their communities, where our culture thrives.

I urge the Hawaiian Homes Commission to support this project and give more families the opportunity to stay rooted in Hawai'i.

Mahalo nui loa for your time and consideration.

Me ke aloha 'āina,
Claudia Quintanilla, Kaupē'a Hawaiian Homestead - Kapolei 96707

c/o Commission Secretary Leatrice W. Burrows-Nu`uanu
Department of Hawaiian Home Lands
91-5420 Kapolei Parkway
Kapolei, Hawai`i 96707
Telephone (808) 620-9504
Email: leatrice.w.burrows-nuuanu@hawaii.gov

September 16, 2024

Aloha mai e na Hawaiian Homes Commissioners,

My name is Janice Herrick

I am a current lessee on Paukukalo Homestead Beneficiary Association (HBA) as identified under 201.6 of the Hawaiian Homes Commission Act of 1920 and federally defined Homestead Associations under 43 (CFR) Code of Federal Regulations 47/48.

During the monthly SCHHA Maui/Lanai/Oahu Mokupuni Council meeting held via Zoom on Sept. 12th where there was robust discussion between approx 30 homestead leaders & waitlist beneficiaries in attendance on agenda item C-4. I join in unity with Maui to STRONGLY OPPOSE agenda item C-4 to convene a “Limited Meeting” of the Hawaiian Homes Commission on November 17, 2024, to DHHL Parcels in Lahaina, Wailuku, and Kihei on the island of Maui for the following reasons

- **ALL development projects can be accessed. There is ample time to make formal arrangements with the developer to meet health & safety standards.**
- **Example:Pu’uhona groundbreaking was held in May 2023 on unimproved areas where a whole bunch of people from the public attended this event along with other beneficiaries, dignitaries from the community, probably about 60 to 70 people. Since then the site has been improved.**

I ask my Island Commissioner to listen to the opposition before you by beneficiaries. To vote NO to this motion before you. I will be submitting my testimony as well for public record to be entered in the draft minutes of my opposition to C-4.

Mahalo nui

Janice S. Herrick
Paukukalo Hawaiian Homes

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Monday, September 16, 2024 8:13:09 AM

Name
Jerome Kekiwi Jr
Email
Kanakakalo@gmail.com
Please Identify Agenda Item(s):
Agenda Item J (HHC Rule Change)
Pick One:
Oral/Live Virtual Only - Enter N/A Below
Message
N/A

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Monday, September 16, 2024 8:38:32 AM

Name
Kalei Huihui
Email
kalei.huihui@gmail.com
Please Identify Agenda Item(s):
Item C-4 - STRONGLY OPPOSE
Pick One:
Oral/Live Virtual Only - Enter N/A Below
Message
N/A

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Sunday, September 15, 2024 6:56:18 PM

Name

Nanea Lo

Email

naneaclo@gmail.com

Please Identify Agenda Item(s):

C-5

Pick One:

Written Only - Submit Testimony Below

Message

Aloha e Hawaiian Homes Commission,

My name is Nanea Lo, and I am writing today to express my strong support for the Waipouli Courtyards rent-to-own project and the significant opportunity it offers to Native Hawaiian families.

As Kānaka Maoli, our connection to the ‘āina is more than just physical—it is deeply spiritual and cultural. Living on our ancestral lands is not only about having a place to call home, but also about sustaining our identity, nurturing our relationship with the land, and passing down our values and cultural practices to future generations. For so many of us, remaining on our ‘āina is central to our sense of belonging and to who we are as a people.

It pains me to witness the growing number of Kānaka Maoli being displaced from Hawai‘i due to the skyrocketing cost of living. The Waipouli project’s rent-to-own option is a crucial step in helping our people stay rooted in our lands and continue to mālama our culture, traditions, and language. Without access to our ‘āina, our culture faces the threat of fading away.

This project represents hope and opportunity for countless families—families like mine who have been waiting for the chance to live on homestead land. While it may not fit the traditional homestead model, it is a vital pathway toward creating a realistic, sustainable option for Native Hawaiians to secure their place in Hawai‘i.

I urge the Hawaiian Homes Commission to fully fund this project and provide our families with the means to remain in our homeland.

Me ke aloha ‘āina,
Nanea Lo, O‘ahu 96826

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Sunday, September 15, 2024 7:15:37 PM

Name

Claudia Quintanilla

Email

cckapiolaniq@gmail.com

Please Identify Agenda Item(s):

C-5

Pick One:

Written Only - Submit Testimony Below

Message

Aloha e Hawaiian Homes Commission,

My name is Claudia Quintanilla, and I am a proud Hawaiian homesteader in Kaupē'a, Kapolei, on O'ahu. I am writing today to express my support for the Waipouli Courtyards rent-to-own project on Kaua'i and the tremendous opportunity it represents for Native Hawaiian families.

For many of us, the connection to the 'āina runs deep—living on our ancestral lands is more than a matter of residence. It is about maintaining our identity as Hawaiians and passing down the cultural practices, values, and knowledge that define who we are. Being rooted in the 'āina gives us the ability to mālama our land and culture, and for countless Native Hawaiians, this connection is the foundation of our sense of belonging.

In my time as a homesteader, I have seen how the high cost of living has forced too many of our people to leave Hawai'i. The rent-to-own option offered by the Waipouli project is a lifeline—a realistic and vital way for more Native Hawaiians to secure their place on their own lands. It is a necessary step toward ensuring that our people can remain where they belong, connected to our 'āina and able to carry forward the cultural practices that keep us grounded.

This project represents hope for families like mine, who understand the importance of having a home on homestead land. While Waipouli may not be the traditional homestead, it is a valuable opportunity for Native Hawaiian families to remain on the islands and in their communities, where our culture thrives.

I urge the Hawaiian Homes Commission to support this project and give more families the opportunity to stay rooted in Hawai'i.

Mahalo nui loa for your time and consideration.

Me ke aloha 'āina,
Claudia Quintanilla, Kaupē'a Hawaiian Homestead - Kapolei 96707

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Monday, September 16, 2024 8:13:09 AM

Name
Jerome Kekiwi Jr
Email
Kanakakalo@gmail.com
Please Identify Agenda Item(s):
Agenda Item J (HHC Rule Change)
Pick One:
Oral/Live Virtual Only - Enter N/A Below
Message
N/A

From: dhl.icro1@hawaii.gov
To: [Burrows-Nuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Monday, September 16, 2024 8:38:32 AM

Name
Kalei Huihui
Email
kalei.huihui@gmail.com
Please Identify Agenda Item(s):
Item C-4 - STRONGLY OPPOSE
Pick One:
Oral/Live Virtual Only - Enter N/A Below
Message
N/A

From: dhhl.icro1@hawaii.gov
To: [Burrows-Nuuuanu, Leatrice W](#)
Subject: New submission from Submit Agendized Testimony
Date: Sunday, September 15, 2024 6:56:18 PM

Name

Nanea Lo

Email

naneaclo@gmail.com

Please Identify Agenda Item(s):

C-5

Pick One:

Written Only - Submit Testimony Below

Message

Aloha e Hawaiian Homes Commission,

My name is Nanea Lo, and I am writing today to express my strong support for the Waipouli Courtyards rent-to-own project and the significant opportunity it offers to Native Hawaiian families.

As Kānaka Maoli, our connection to the ‘āina is more than just physical—it is deeply spiritual and cultural. Living on our ancestral lands is not only about having a place to call home, but also about sustaining our identity, nurturing our relationship with the land, and passing down our values and cultural practices to future generations. For so many of us, remaining on our ‘āina is central to our sense of belonging and to who we are as a people.

It pains me to witness the growing number of Kānaka Maoli being displaced from Hawai‘i due to the skyrocketing cost of living. The Waipouli project’s rent-to-own option is a crucial step in helping our people stay rooted in our lands and continue to mālama our culture, traditions, and language. Without access to our ‘āina, our culture faces the threat of fading away.

This project represents hope and opportunity for countless families—families like mine who have been waiting for the chance to live on homestead land. While it may not fit the traditional homestead model, it is a vital pathway toward creating a realistic, sustainable option for Native Hawaiians to secure their place in Hawai‘i.

I urge the Hawaiian Homes Commission to fully fund this project and provide our families with the means to remain in our homeland.

Me ke aloha ‘āina,
Nanea Lo, O‘ahu 96826